

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, APRIL 10, 2000
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:08 p.m. The meeting was adjourned by Mayor Golding at 3:56 p.m. into Closed Session on Tuesday, April 11, 2000, at 9:00 a.m. in the twelfth floor conference room to discuss existing litigation, anticipated litigation, property acquisition, and Meet and Confer matters with employee organizations.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present

(1) Council Member Mathis-present

(2) Council Member Wear-present

(3) Council Member Kehoe-present

(4) Council Member Stevens-present

(5) Council Member Warden-present

(6) Council Member Stallings-present

(7) Council Member McCarty-present

(8) Council Member Vargas-present

Clerk-Fishkin (er)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

(M) Mayor Golding-present

(1) Council Member Mathis-present

- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

ITEM-10: INVOCATION

Invocation was given by Pastor Art Cribbs of the Christian Fellowship
Congregation Church, United Church of Christ.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Warden.

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS: APPROVED MINUTES

Approval of Council Minutes for the meetings of:

2/22/2000 Special Joint Meeting
2/28/2000 Adjourned
2/29/2000 Adjourned
3/06/2000
3/07/2000 Adjourned
3/13/2000
3/14/2000
3/14/2000 Special Joint Meeting
3/20/2000 Adjourned
3/21/2000 Adjourned
3/27/2000 Adjourned
3/28/2000 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A041-045.)

MOTION BY WEAR TO APPROVE. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31: Proclaiming April 10, 2000 to be "Tom Hall Day" in the City of San Diego.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1142) ADOPTED AS RESOLUTION R-292886

Proclaiming April 10, 2000 to be "Tom Hall Day" in the City of San Diego, with great admiration and respect for a person truly dedicated to the arts and humanities.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A046-105.)

MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-32: Proclaiming April 10, 2000 to be "Oaks and Acorns Day" in the City of San Diego.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1113) ADOPTED AS RESOLUTION R-292887

Recognizing the outstanding contributions of the Oaks and Acorns program to improve the relationship between our youth and seniors and provide them with a better understanding of their life experiences;

Proclaiming April 10, 2000 to be "Oaks and Acorns Day" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A109-167.)

MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-33: Boys and Girls Clubs Week.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1054) ADOPTED AS RESOLUTION R-292888

Commending the Boys and Girls Clubs of San Diego for their service and dedication to the City of San Diego and urging all citizens to support the Boys and Girls Clubs of San Diego;

Proclaiming the week of April 9 through April 15, 2000 to be "Boys and Girls Clubs Week" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A174-214.)

MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comment by Don Stillwell regarding the military working with local police agencies.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A224-252.)

PUBLIC COMMENT-2:

Comment by Berta Darr regarding De Anza Community and a non-profit management proposal.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A255-280.)

PUBLIC COMMENT-3: REFERRED TO CITY MANAGER

Comment by Phyllis Ward regarding cleaning up the city of drunks and panhandlers at bus stops.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A280-290.)

PUBLIC COMMENT-4:

Comment by Ken Loch regarding the Eternal Master.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A295-320.)

PUBLIC COMMENT-5:

Comment by Rev. Devore Smith regarding plans to reopen Sorrento Valley Road prior to completion of the EIR.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A322-350.)

PUBLIC COMMENT-6:

Comment by Eric Bowlby regarding wildlife corridors and Sorrento Valley Road.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A350-378.)

PUBLIC COMMENT-7:

Comment by Billy Paul regarding fireworks at Mission Bay and the resulting noise and damage to the birds nesting in that area.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A395-428.)

PUBLIC COMMENT-8: REFERRED TO PS&NS COMMITTEE

Comment by Steve McWilliams regarding medical marijuana guidelines.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A436-470.)

COUNCIL COMMENT:

COUNCIL COMMENT-1: REFERRED TO CITY MANAGER

Council Member Vargas requested more information on the non-agenda comment by Phyllis Ward regarding the drunks and panhandlers. Council Member Vargas suggested that the Sorrento Valley Road issue should be brought back to Council to be reconsidered.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A558-578.)

COUNCIL COMMENT-2:

Council Member Kehoe commented that she attended the Police Chief's Community Meeting in North Park and it was extremely productive and a good asset to the community.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A578-598.)

COUNCIL COMMENT-3:

Council Member Warden congratulated Tom Daghish on becoming a U.S. citizen.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A598-612.)

COUNCIL COMMENT-4: REFERRED TO CITY MANAGER

Council Member Wear noted that he would be ineligible to vote on Item 132. On Item 127, he requested that the City Manager's staff meet with him regarding the scope of the project and design issues. Council Member Wear asked the City

Manager why Item 129, Installation of Electrical Service to the Lifeguard Station, was taking such a long time.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A612-635.)

COUNCIL COMMENT-5:

Council Member Stevens commented on meeting with our own local delegation in San Diego rather than Sacramento.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A637-B060.)

COUNCIL COMMENT-6:

Council Member McCarty asked the City Manager how new leases can be rationalized when the City is planning to build a new City Hall.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B073-092.)

* ITEM-50: Non-Discrimination in Subcontracting.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 3/6/2000. (Council voted 7-0. Mayor Golding and Councilmember Mathis not present):

(O-2000-143 Cor.Copy) ADOPTED AS ORDINANCE O-18785 (New Series)

Amending Chapter II, Article 2 of the San Diego Municipal Code by adding Division 34, Sections 22.3401, 22.3402, 22.3403, 22.3404, 22.3405, 22.3406, 22.3407, 22.3408, 22.3409, 22.3410, 22.3411, 22.3412, 22.3413, 22.3414,

22.3415, 22.3416, 22.3417, establishing a nondiscrimination policy and complaint process for business firms that do business with the City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-51: Commission for Arts and Culture.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 3/13/2000. (Council voted 5-0. Councilmembers Mathis, Stevens, Warden, and Stallings not present):

(O-2000-153) ADOPTED AS ORDINANCE O-18786 (New Series)

Amending Chapter II, Article 6, Division 7, of the San Diego Municipal Code by amending Section 26.0702, relating to the Commission for Arts and Culture, effective May 1, 2000 and for all appointments thereafter, members shall serve two (2) year staggered terms for a maximum of eight (8) consecutive years, and each member shall serve until a successor is duly appointed and confirmed.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C179-190.)

MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-52: Small Business Advisory Board.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 3/13/2000. (Council voted 5-0. Councilmembers Mathis, Stevens, Warden, and Stallings not present):

(O-2000-139) ADOPTED AS ORDINANCE O- 18787 (New Series)

Amending Chapter II, Article 6, Division 1 of the San Diego Municipal Code, by amending Section 26.06, relating to the Small Business Advisory Board, changing the Small Business Advisory Board's United Federation of Business seat to a member-at-large designation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-53: Establishment of City of San Diego Community Facilities District No. 2 (Santaluz).

(Portions of Subareas I and IV of the Future Urbanizing Area. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 3/14/2000. (Council voted 5-0. Councilmembers Mathis, Stevens, Warden, and Stallings not present):

(O-2000-150) ADOPTED AS ORDINANCE O-18788 (New Series)

Adoption of an Ordinance authorizing the levy of a special tax within each of Improvement Areas No. 1, 2, and 3 of such district.

FILE LOCATION: STRT-CF2 (58)

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-54: Office Space Lease Amendment - City Treasurer/Financial Management Department.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2000-161) INTRODUCED, TO BE ADOPTED ON MAY 1, 2000

Authorizing the execution of a Sixth Amendment to Lease with Civic Center Associates for office space of approximately 11,239 square feet on the 1st floor of the Civic Center Plaza Building, for the City Treasurer Department, commencing July 1,2000 and terminating July 23, 2014, at an initial monthly rent of \$15,172.65;

Authorizing the expenditure of an amount not to exceed \$182,071.80 from the General Fund 100 for rent from FY 2001 budget, contingent upon the approval of the FY 2001 budget by the Mayor and City Council.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

CITY MANAGER SUPPORTING INFORMATION:

The City Treasurer Department currently occupies 8,912 square feet of space at the City Operations Building on the 2nd and 3rd floors, and has expanded beyond capacity to meet the needs of the Service Centers. Recently, additional square footage became available on the 1st floor of the Civic Center Plaza Building. The City Treasurer's Department is proposing to lease the space under the following basic terms:

Term - Approximately 15 years. Occupancy of space will be effective July 1, 2000 and will terminate July 23, 2014, the expiration date of the Master Lease,

Rent - \$1.35 per square foot or \$15,172.65 per month.

Use - General office usage for the City Treasurer's office.

Size - 11,239 square feet.

Tenant Improvements - Landlord will install the Tenant Improvements at Landlord's sole cost and expense. The cost of the improvements is estimated at \$273,700.

Space Planning Expenses - Landlord will provide space planning and construction document services at Landlord's sole cost and expense. The cost of the space planning expenses is estimated at \$6,021.40.

FISCAL IMPACT:

\$182,071.80 will be paid from the General Fund 100 for FY 2001.

Loveland/Griffith/DLM

Aud. Cert. 2000956.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO INTRODUCE THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-nay, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-nay, Mayor Golding-yea.

* ITEM-100: Results of March 7, 2000 Municipal Primary Election.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1133) ADOPTED AS RESOLUTION R-292889

Declaring the results of the Municipal Primary Election held in the City of San Diego on March 7, 2000.

CITY CLERK'S SUPPORTING INFORMATION:

A Municipal Primary Election was held on March 7, 2000 for the purpose of submitting candidates for the offices of Mayor, City Attorney, and Councilmember for Districts 1,3,5 and 7 to the voters of the City of San Diego. The results of this election have been certified by the Registrar of Voters and City Clerk and are now being certified to the City Council.

Abdelnour

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-101: Approving the Final Map of Carmel Estates, Unit No. 1.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1136) ADOPTED AS RESOLUTION R-292890

Approving the final map.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 22.377 acre site into 26 lots for residential development. It is located north of Carmel Mountain Road and east of Carmel Creek Road in the Carmel Valley Community Planning area. On October 28, 1999 the Planning Commission of the City of San Diego approved Planning Commission Resolution No. 2871-1-PC for Carmel Estates. The

City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision will be constructed as a part of Torrey Hills Unit 16. Therefore no Subdivision Improvement Agreement is required with this map. All improvements are to be completed within two years. cash bond in the amount of \$ 4,000 as determined by the surveyors estimate, has been posted as surety for the setting of survey monuments. This subdivision is located within the Carmel Valley Community and is within a Public Facilities Financing Plan which provides for the payment of an assessment for public facilities. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development".

FISCAL IMPACT:

None.

Loveland/Halbert/GPH

FILE LOCATION: SUBD - Carmel Estates, Unit No. 1 (40)

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-102: Three actions related to the Final Subdivision Map of Carmel Estates, Unit No. 2.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1139) ADOPTED AS RESOLUTION R-292891

Authorizing a Subdivision Improvement Agreement with Standard Pacific Corporation for the installation and completion of public improvements.

Subitem-B: (R-2000-1137) ADOPTED AS RESOLUTION R-292892

Approving the final map.

Subitem-C: (R-2000-1140) ADOPTED AS RESOLUTION R-292990

Authorizing a Landscape Maintenance Agreement with Standard Pacific Corporation for the installation and completion of public improvements.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 17.860 acre site into 57 lots for residential development. It is located north of Carmel Mountain Road and east of Carmel Creek Road in the Carmel Valley Community Planning area. On October 28, 1999 the Planning Commission of the City of San Diego approved Planning Commission Resolution No. 2871-1-PC for Carmel Estates. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing No. 30212-D, filed in the Office of the City Clerk under Micro Number 140.23. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$830,667 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$9,000 as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located within the Carmel Valley Community and is within a Public Facilities Financing Plan which provides for the payment of an assessment for public facilities. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development". Subdivider shall enter into a Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, until another mechanism is established and assumes maintenance responsibility.

FISCAL IMPACT:

None.

Loveland/Haase/GPH

FILE LOCATION: SUBITEMS A, B, & C: SUBD - Carmel Estates, Unit No.
2 (40)

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103: Two actions related to approving the Final Subdivision Map of Torrey Hills Unit No. 7.

(Sorrento Hills Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1174) ADOPTED AS RESOLUTION R-292893

Authorizing a Subdivision Improvement Agreement with Western Pacific Housing, Torrey Hills, LLC, for the installation and completion of public improvements.

Subitem-B: (R-2000-1112) ADOPTED AS RESOLUTION R-292894

Approving the final map of Torrey Hills Unit No. 7.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 17.02 acre site into 3 lots for a 101 unit residential condominium development. This proposed development is located southwest of Calle Mar De Mariposa and west of West Ocean Air Drive in the R-3000 zone of the Sorrento Hills Community Planning Area. On December 2, 1999, the Planning Commission of the City of San Diego approved Planning Commission Resolution No. 2887-1 -PC for Torrey Hills Unit 7. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing Nos. 30242-1 D through 30242-27-D. An Engineering Permit (No. W48624) was issued February 22, 2000 for this project. The Engineer's estimate for the cost of public improvements is \$692,838, and a Permit Bond in that amount has been provided as surety. A cash bond in the amount of \$3,280, as determined by the surveyors estimate, has been posted as surety for the setting of survey monuments. Certain sewer, water, drainage, access, open space,

building restricted and flood water storage easements are no longer required and have been abandoned. New easements are being granted on this map. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development".

FISCAL IMPACT: None.

Loveland/Haase/DH

FILE LOCATION: SUBD - Torrey Hills Unit No. 7 (40)

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104: Approving a Lot Consolidation Parcel Map, Including Abandonment and Set Aside of a Drainage and Sewer Easement.

(Centre City Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1110) ADOPTED AS RESOLUTION R-292895

Approving a Lot Consolidation Parcel Map, including the abandonment of a drainage and sewer easement, a drainage and sewer easement set aside on City owned property and an alley vacation.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the Consolidation of a 1.947 acre site into 1 Parcel for a Central Police Substation. It is located at 2509 Imperial Avenue in the CSR-2-R-1 500 and 1-1 zones in the Southeast Community Planning Area. On July 23, 1998 the Planning Commission of the City of

San Diego approved Southeastern Development Permit and Conditional Use Permit CUP-96-7667. The City Engineer has approved the Parcel Map and states that all conditions of the SEDP/CUP-96-7667 have been satisfied. The map requires City Council approval for the following:

- 1) Sewer and drainage easements are being abandoned on the map. New utilities in different locations are being installed with the Substation. Engineering Permit No. W47449 has been issued and a bond in the amount of \$356,537 has been posted to insure completion of the public improvements as shown on engineering drawing No. 29077-D (1-9).
- 2) Sewer and Drainage set aside easements across city owned property. An easement set aside perpetuates the location of public utilities within City owned land. The City cannot grant itself an easement, therefore, a set aside is necessary to insure that an easement is reserved in case of future sale of the property.
- 3) Vacation of a portion of an unnamed alley on subject property due to the redevelopment of the site. The map in turn dedicates an unnamed alley in a new alignment for use as a public alley. The easements to be abandoned were acquired at no cost to the City.

FISCAL IMPACT:

None.

Loveland/Haase/GH

FILE LOCATION: DEED F-7736

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-105: Lot Line Adjustment and Easement Abandonment - Parcel Map W.O. No. 981135.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1039) ADOPTED AS RESOLUTION R-292896

Approving Parcel Map W.O. NO. 981135 including the vacation of a drainage easement.

CITY MANAGER SUPPORTING INFORMATION:

This lot line adjustment parcel map reflects a redesign of a portion of a previously approved subdivision, Map 9570, Bernardo Industrial Park North. This project is located south of Rancho Bernardo Road and west of Interstate 15 in the Rancho Bernardo Community Plan Area. This map requires City Council approval because an existing drainage easement is being abandoned on the map. This parcel map will consolidate and adjust lot lines to conform to the new project and vacate an existing drainage easement. This easement is no longer necessary because of a redesign of the project site. The new project will provide a flood water storage easement over a portion of Parcel 1. Staff finds that all modifications comply with the existing planned residential development and recommends City Council approval of the map.

FISCAL IMPACT:

None. All costs are paid by the applicant.

Loveland/Halbert/LH

FILE LOCATION: DEED F-7737

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106: Two actions related to Final Map of Horizons - Marina District Condominiums and Subdivision Improvement Agreement.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1149) ADOPTED AS RESOLUTION R-292897

Authorizing a Subdivision Improvement Agreement with Bosa Development California, Inc., for the work to be done.

Subitem-B: (R-2000-1148) ADOPTED AS RESOLUTION R-292898

Approving the final map.

CITY MANAGER SUPPORTING INFORMATION:

This map entitled "Horizons - Marina District Condominiums" proposes the subdivision of a 2.5 acre site consisting of one lot into no more than 211 residential condominium units and 10 commercial condominium units. It is located at the southeast corner of Market and Front Streets in the Marina Planned District. The project is being constructed under CCDC (Marina Development) Permit No. 98-0350. On June 17, 1999 the Planning Commission approved Tentative Map TM-98-0128 by Resolution No. 2812-PC. The City Engineer has approved the final map for this development and states that all conditions of the Tentative Map have been satisfied. The preliminary design of the public improvements required for this subdivision are shown in detail on Drawing Nos. 30109-1-D through 30109-5D filed in the Office of the City Engineer. All improvements are to be completed within two years. The Engineer's preliminary estimate for the cost of public improvements is \$264,475.20 which is subject to change based on the cost of the final design.

A Performance Bond in the amount of \$500,000 has been provided as surety to cover the cost of final site design, construction and contingencies. The surveyor of record has set all monuments shown on the subdivision map, therefore no monument bond is required. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development."

FISCAL IMPACT:

None.

Loveland/Halbert/LH

FILE LOCATION: SUBITEMS A & B: SUBD - Horizons - Marina District
Condominiums (40)

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-107: Piper Ranch Business Park Substitute Subdivision Improvement Agreement.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1073) ADOPTED AS RESOLUTION R-292899

Terminating the existing Subdivision Improvement Agreement with TCW, documents RR-273179 and RR-277895;

Authorizing the City Manager to execute a Subdivision Improvement Agreement with DAMG IV, LLC, for the installation and completion of public improvements in the subdivision known as Piper Ranch Business park;

Declaring that the Subdivision Improvement Agreement with DAMG shall not become effective unless and until DAMG furnishes and delivers to the City the approved improvement security required under paragraph 4 of the Subdivision Improvement Agreement with DAMG;

Declaring that the termination of the Subdivision Improvement Agreement with TCW, documents RR-273179 and RR-277895, shall not become effective unless and until the Subdivision Improvement Agreement with DAMG becomes effective.

CITY MANAGER SUPPORTING INFORMATION:

On April 10, 1989 the City Council authorized the execution of a Subdivision Improvement Agreement with the Piper Ranch Associates for the recordation of a final map (Map-12346). The property ownership has subsequently changed and the new owners are applying for a substitution of a new Subdivision Improvement Agreement and related sureties and documents.

FISCAL IMPACT:

None.

Culbreth-Graft/Haase/PH

FILE LOCATION: SUBD - Piper Ranch Business Park

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-108: Easement Grant to San Diego Gas and Electric - Alvarado Filtration Plant.

(Lake Murray Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1081) ADOPTED AS RESOLUTION R-292900

Authorizing the execution of a deed conveying to San Diego Gas and Electric Company, an easement for the purpose of relocation of overhead electrical facilities on portions of Lot 19 of Rancho Mission of San Diego, and Lot 13 in Block 1 of Rasonia, Map-2134, located north of the Alvarado Filtration plant.

CITY MANAGER SUPPORTING INFORMATION:

In order to proceed with the Alvarado Water Treatment Plant Expansion (Phase 1), the Water Department has requested San Diego Gas & Electric (SDG&E) to relocate certain overhead utility lines. To facilitate the City's request, SDG&E will require an easement for overhead wires and support poles. Following completion of the relocation project, SDG&E will vacate its former easement, and deed it back to the City. The requested easement area is 12 feet in width, 350 feet in length, and totals 4200 square feet. Since this is a City-initiated project, there will be no charge for the easement.

FISCAL IMPACT:

None.

Loveland/Griffith/ACG

FILE LOCATION: DEED F-7738

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-109: Quitclaim Deed to USA - Fleet Anti-Submarine Warfare Center.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1059) ADOPTED AS RESOLUTION R-292901

Authorizing the City Manager to execute a Quitclaim Easement Deed, quitclaiming to the United States of America all the City's right, title and interest in that portion of the real property granted to the City, pursuant to the Grant of Easement, dated April 18, 1962 on file in the Office of the County Recorder as File/Page No. 66681.

CITY MANAGER SUPPORTING INFORMATION:

On April 18, 1962 the City of San Diego recorded a Grant of Easement from the USA for right of way for North Harbor Drive. The construction of this street has been completed and the area described in the Quitclaim Deed is in excess to the City's needs.

FISCAL IMPACT:

None.

Loveland/Griffith/BLM

FILE LOCATION: DEED F-7739

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

*ITEM-110: Clairemont Mesa Boulevard (Missile Road to Ruffin Road) Underground Utility District.

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-975) ADOPTED AS RESOLUTION R-292902

Designating May 30, 2000 as the date on which all property within the Clairemont Mesa Boulevard (Missile Road to Ruffin Road) Underground Utility District must be ready to receive underground utility service and June 30, 2000 as the date on which all overhead utility facilities within the District must be removed;

Authorizing the City Auditor and Comptroller to open Fund 78129 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Clairemont Mesa Boulevard (Missile Road to Ruffin Road) Underground Utility District;

Authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company;

Authorizing payment to all qualified property owners in the Clairemont Mesa Boulevard (Missile Road to Ruffin Road) Underground Utility District as reimbursement for electrical service underground conversion work done on private property;

Authorizing the City Treasurer to return to SDG&E any undisbursed funds upon written notice from SDG&E to the City that all electrical service conversions within this particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION:

The Clairemont Mesa Boulevard (Missile Road to Ruffin Road) Underground Utility District was created by the City Council on October 4, 1994. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set May 30, 2000 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish June 30, 2000 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench for the electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT

None with this action.

Loveland/Belock/PB

FILE LOCATION: STRT - K-223 (38)

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-111: 30th Street from (University Avenue to Olive Street) Underground Utility District.

(Greater North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1047) ADOPTED AS RESOLUTION R-292903

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of an Underground Utility District to be known and denominated as the 30th Street (University Avenue to Olive Street) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the 30th Street from (University Avenue to Olive Street) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral.

Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT:

SDG&E Cost: The construction cost of \$2,160,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is the administration and street light replacement. Cost estimated at \$70,000. Funding is available in CIP-37-028.0, Undergrounding of City Utilities.

Loveland/Belock/PKB

Aud. Cert. 2000894.

FILE LOCATION: STRT - K-265 (38)

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-112: Orange Avenue from (I-805 to 40th Street) Underground Utility District.

(City Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1045) ADOPTED AS RESOLUTION R-292904

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of an Underground Utility District to be known and denominated as the Orange Avenue (I-805 to 40th Street) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Orange Avenue from (I-805 to 40th Street) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral.

Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT:

SDG&E Cost: The construction cost of \$704,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is the administration and street light replacement. Cost estimated at \$94,000. Funding is available in CIP-37-028.0, Undergrounding of City Utilities.

Loveland/Belock/PKB

Aud. Cert. 2000893.

FILE LOCATION: STRT - K-270 (38)

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-113: Market Street (43rd Street to 47th Street) Underground Utility District.

(Chollas View Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1043) ADOPTED AS RESOLUTION R-292905

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of an Underground Utility District to be known and denominated as the Market Street (43rd Street to 47th Street) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Market Street (43rd Street to 47th Street) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral.

Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT:

SDG&E Cost: The construction cost of \$704,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is the administration and street light replacement. Cost estimated at \$52,000. Funding is available in CIP-37-028.0, Undergrounding of City Utilities.

Loveland/Belock/PKB

Aud. Cert. 2000918.

FILE LOCATION: STRT - K-269 (38)

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-114: Declaring April 8, 2000 to be Christmas in April Day.

COUNCILMEMBER MATHIS'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1125) CONTINUED TO MONDAY, APRIL 17, 2000

Proclaiming Saturday, April 8, 2000 to be "Christmas in April Fifth Anniversary Day" in the City of San Diego;

Recognizing the volunteers, the sponsoring organizations and the tremendous difference they make in the lives of their neighbors for the betterment of San Diego as America's Finest City.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO CONTINUE TO APRIL 17, 2000 AT THE REQUEST OF DEPUTY MAYOR MATHIS SO THE ITEM CAN BE PLACED ON SPECIAL ORDER OF BUSINESS. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-115: Proclaiming April 5, 2000 to be "Combined Health Agencies Health Heroes Day."

COUNCILMEMBER STALLINGS'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1131) ADOPTED AS RESOLUTION R-292906

Proclaiming April 5, 2000 to be "Combined Health Agencies Health Heroes Day" in recognition of their success in making San Diego a healthier place to live.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-116: Excusing Deputy Mayor Mathis from Council and Committee Meetings of March 6, 2000 and March 13-14, 2000.

DEPUTY MAYOR MATHIS'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1049) ADOPTED AS RESOLUTION R-292907

Excusing Deputy Mayor Harry Mathis from the following regularly scheduled meetings, due personal business and out-of-town City business:

1. Council meetings of March 6, 2000 (personal), March 13 and 14, 2000 (City business).
2. Committee on Rules, Finance, and Intergovernmental Relations meeting of March 13, 2000 (City business).

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-117: Excusing Councilmember Christine Kehoe from the Committee on Land Use and Housing on March 15, 2000.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1072) ADOPTED AS RESOLUTION R-292908

Excusing Councilmember Christine Kehoe from attending the regularly scheduled meeting of the Committee on Land Use and Housing on March 15, 2000, due to her attendance at the California Coastal Commission meeting.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-118: Excusing Councilmember Stevens from the City Council Meetings of March 13 and 14, 2000.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1051) ADOPTED AS RESOLUTION R-292909

Excusing Councilmember George Stevens from attending the regularly scheduled City Council meetings of March 13 and 14, 2000, due to his participation at the National League of Cities meeting in Washington, D.C.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-119: Excusing Councilmember Valerie Stallings from March 13 and 14, 2000 City Council Meetings.

COUNCILMEMBER STALLINGS'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1034) ADOPTED AS RESOLUTION R-292910

Excusing Councilmember Valerie Stallings from attending the regularly scheduled Council meetings of March 13 and 14, 2000, due to her attendance at MTDB's APTA conference in Washington, D.C.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-120: Excusing Councilmember Warden from the Rules Committee Meeting of March 13, 2000, the City Council Meetings of March 13 and 14, 2000 and the Land Use and Housing Committee Meeting of March 15, 2000.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1055) ADOPTED AS RESOLUTION R-292911

Excusing Councilmember Barbara Warden from the following regularly scheduled meetings:

1. Committee on Rules, Finance, and Intergovernmental Relations meeting of March 13, 2000.
2. The City Council Meetings of March 13 and 14, 2000.
3. Committee on Land Use and Housing meeting of March 15, 2000.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-121: Grant Application for the Paradise Hills Revitalization Project.

(Skyline/Paradise Hills Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1129 Cor. Copy) ADOPTED AS RESOLUTION R-292912

Authorizing the City Manager or his representative to accept, appropriate, and expend \$284,000 (less 1.5% administrative charge) in CIP-29-498.0, Paradise Hills Revitalization Project, from Park and Recreation Fund 39032, contingent upon a fully executed grant agreement;

Declaring that the City certifies that it understands the assurances and certifications in the grant application;

Authorizing the City Manager or his representative to take all necessary actions to secure funding from the State for the aforementioned project:

Authorizing the City Manager and City Attorney or their representatives to conduct all negotiations, execute and submit all documents, including, but not limited to, applications, agreements, amendments, payment requests, and so on, which may be necessary for the completion of the aforementioned project;

Authorizing the City Auditor and Comptroller to establish a special interest-bearing account, if the grant is awarded;

Amending the Fiscal Year 2000 Capital Improvement Program by adding CIP-29-498.0, Paradise Hills Revitalization Project.

CITY MANAGER SUPPORTING INFORMATION:

This action will allow the City Manager to enter into an agreement with the State and proceed with the revitalization of Reo Drive in the Skyline-Paradise Hills Community Planning Area. In Fiscal Year 1999, the State Legislature and Governor budgeted \$55,000 for the Paradise Hills Revitalization Project. In Fiscal Year 2000, the State budgeted an additional \$229,000 for the project. The total amount allocated, \$284,000, will be reduced by 1.5% for State Administration costs (total reimbursable amount \$279,740). The Paradise Hills Revitalization Project provides a simple vision and implementation strategy for the rehabilitation of an older commercial strip development on Reo Drive in the heart of the Paradise Hills neighborhood. The 3.34 acre site includes the east and west sides of Reo Drive between Cumberland and Albemarle Streets. The

project proposes the installation of various public improvements and provides opportunities for private development improvements. Public improvements include: a landscaped center median; diagonal parking along the street; pedestrian-oriented street lights; sidewalks along storefronts; street trees; improved crosswalks; and, stop signs at the two major intersections.

FISCAL IMPACT:

When the grant agreement is executed, the City will receive \$284,000 (less 1.5% administrative charges) which will be used for design, engineering and construction purposes. The total estimated cost to complete this project is \$800,000. Other funding sources are being pursued to construct the project.

Loveland/Christiansen/LE

Aud. Cert. 2000868

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-122: California Integrated Waste Management Board - Playground Resurfacing Grant.

(Pacific Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-977) ADOPTED AS RESOLUTION R-292913

Authorizing the City Manager or his duly designated representative to apply to the California Integrated Waste Management Board for a grant to fund rubberized playground surfacing made from recycled tires for the Pacific Beach Recreation Center;

Authorizing the City Manager or his duly designated representative to take all necessary actions to secure and accept the Grant for the project;

Authorizing the City Auditor and Comptroller to appropriate and expend the Grant funds for the project if the Grant is secured;

Authorizing the City Auditor and Comptroller to establish a special interest bearing fund for the Grant.

CITY MANAGER SUPPORTING INFORMATION:

The California Tire Recycling Act authorizes the California Integrated Waste Management Board (CIWMB) to award grants to local agencies for the purpose of diverting tires from landfill disposal by promoting markets for recycled products. The CIWMB has allocated \$450,000 for the Local Public Agency Waste Tire Playground Cover and Track Surfacing grants during fiscal year 1999-2000. Eligible applicants must provide matching funds of at least 50% of the project.

The Park and Recreation Department plans to upgrade the children's playground at the Pacific Beach Recreation Center and is submitting a grant application to the CIWMB to fund the rubberized playground surfacing which will be made from about 14,000 pounds of recycled tires and provide access for disabled persons to at least 50% of the play area. At present, the playground surfacing is sand, so the area is not accessible for persons with disabilities. According to the Americans with Disabilities Act, the city must make at least half of the playground accessible in order for the overall playground upgrade to proceed.

FISCAL IMPACT:

The total cost of this surfacing will be \$26,000. If the grant is secured the city will receive \$13,000. The project will be matched by the city with \$13,000 in funds already designated for the playground upgrade planned at this site under the Pacific Beach Recreation Center Improvements CIP-29-420.0, job order number 294200.

Loveland/McLatchy/HL

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-123: Solid Waste Local Enforcement Agency (LEA) Application for the Waste Tire Grant.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1070) ADOPTED AS RESOLUTION R-292914

Authorizing the application for and acceptance of grant funds from the California Integrated Waste Management Board (CIWMB), and authorizing the City Manager to negotiate and execute all necessary documents in connection with the grant.

CITY MANAGER SUPPORTING INFORMATION:

The California Integrated Waste Management Board (CIWMB) is offering waste tire enforcement grant monies to Solid Waste Local Enforcement Agencies. Up to \$100,000 per applicant will be considered for inspection/compliance and surveillance activities. The grant term is from June 30, 2000 through April 1, 2002. The City of San Diego Planning and Development Review Department, Solid Waste Local Enforcement Agency (LEA) was authorized on November 19, 1997 by the CIWMB to carry out the duties and responsibilities of solid waste inspection, permitting, and enforcement within the City's jurisdiction. The LEA proposes to request grant funds to continue its implementation of an effective waste tire inspection and compliance program which will provide guidance to waste tire generators and when necessary, take the enforcement actions to remedy threats to the public health, safety, and the environment. During initial implementation of the FY 98-99 grant the LEA discovered many illegal operating procedures by tire shops, franchised solid waste haulers, and even by State registered waste tire haulers. State registered haulers, as well as franchised haulers, were not complying with State regulations by hauling tires without proper documentation.

The LEA also found instances of illegal tire dumping on to City streets and alleyways, which tap into the City's resources for cleanup. Along with trying to eliminate these problems the LEA

proposes to use these grant monies to continue to educate participating agencies, waste haulers, and tire shop operators as to the proper procedures for hauling and disposing of waste tires. The attached Waste Tire Enforcement Grant application provides letters of support for this program and the details of the proposed project.

FISCAL IMPACT:

If the grant is awarded, the City would receive up to \$100,000.

Loveland/Haase/PM

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-124: Authorizing the expenditure for Hauling and Disposal of Dewatered Biosolids.

(Kearny Mesa, Otay Mesa and Sycamore Canyon Community Areas. Districts-6, 7 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1050) ADOPTED AS RESOLUTION R-292915

Authorizing the estimated expenditure of \$375,000 as needed for the contract extension period according to the terms and conditions of the contract with Pacific Waste Services, Inc. for hauling and disposal of dewatered biosolids; this will result in a contract in the amount of \$3,755,000 when added to monies already expended against this contract;

Authorizing the expenditure of \$375,000 from Fund No. 41508. (BID-B1044-99.)

CITY MANAGER SUPPORTING INFORMATION:

On January 25, 1999, the City of San Diego issued a Purchase Order to Pacific Waste Services for the landfill disposal at the Miramar Landfill of approximately 62,500 wet tons of digested, dewatered biosolids from the Metropolitan Biosolids Center. The period of performance of the Purchase Order was from January 25, 1999 to June 30, 1999, at a unit of Four dollars and Ninety-Five cents (\$4.95) per wet ton of digested, dewatered biosolids. Subsequently, this contract was modified by Resolution No. R-291509, and adopted on April 19, 1999. This contract modification authorized a price increase to Twenty-Six dollars (\$26.00) per ton to cover excess costs incurred due to having to haul to approved landfills other than the Miramar Landfill and increased the period of performance by six (6) months to January 24, 2000.

Manager Action No. C-09903 dated February 25, 2000, authorized a second extension to the contract period for twenty-eight (28) days beginning January 25, 2000 through February 21, 2000. This extension is required to ensure that biosolids removal continues up to the commencement date of the Facilities Franchise Agreement with San Diego Landfill Systems, Inc., February 22, 2000. At that time, biosolids removal and disposal will be covered under the Facilities Franchise Agreement. The estimated cost of biosolids hauling during the contract extension period is Two Hundred Fifty Thousand dollars (\$250,000); that cost is based upon the hauling of an estimated 9,615 tons during the period of January 25, 2000 through February 21, 2000. The actual cost of hauling during the contract extension may be more or less than the estimate, depending upon the quantity of biosolids actually hauled. An additional One Hundred Twenty-Five Thousand dollars (\$125,000) is being requested to cover additional hauling required during the six (6) month period prior to this recent contract extension. This additional hauling was required to cover increased production due to introduction of North City solids and emptying of Point Loma digesters for cleaning.

FISCAL IMPACT:

Three Hundred Seventy-Five Thousand dollars (\$375,000), which is available in Sewer Fund 41508.

Loveland/Stock/LB

Aud. Cert. 2000942.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-125: Genesee Avenue Interconnect.

(Clairemont Mesa, Linda Vista Community Areas. Districts-5 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-502) ADOPTED AS RESOLUTION R-292916

Authorizing the City Manager to accept a Program Supplement for Congestion Mitigation and Air Quality Funds in the amount of \$159,000 for construction of the Genesee Avenue Traffic Signal Interconnect Project, in addition to funds previously accepted for the project;

Authorizing the appropriation of \$159,000 of Federal Congestion Mitigation and Air Quality (CMAQ) funds (Fund No. 38666) to CIP-63-043.0, contingent upon the receipt of a fully executed program supplement for CMAQ funds;

Authorizing the expenditure of an amount not to exceed \$159,000 from CIP-63-043.0, contingent on the receipt of a fully executed program supplement for CMAQ funds.

CITY MANAGER SUPPORTING INFORMATION:

This project will interconnect traffic signals along Genesee Avenue from Clairemont Mesa Boulevard to Linda Vista Road, and connect those signals to the City's master control system.

FISCAL IMPACT:

This action accepts an increase of \$159,000.00 of Federal grant funding (CMAQ) to provide for construction and construction related engineering costs for the Genesee Avenue traffic signal

interconnect in the Clairemont Mesa and Linda Vista area. A total of \$446,000 in CMAQ and TSM funds has previously been approved for this project. The total cost of this project is \$605,000, which is reimbursable by Federal (CMAQ) and State (TSM) grants.

Loveland/Belock/PKB

Aud. Cert. 2000853.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-126: Water for Industry Project - Amendment to Toppan Electronics Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1122) ADOPTED AS RESOLUTION R-292917

Authorizing a first amendment to the agreement with Toppan Electronics to participate in Phase 1 of the pilot study within the North City Optimized Distribution Zone.

CITY MANAGER SUPPORTING INFORMATION:

On February 17, 1998, the City embarked on a feasibility study that identified a projected demand of (one) 1 million gallons per day (MGD) of reclaimed water from industrial customers located within the North City Optimized Distribution Zone. Toppan Electronics has volunteered to participate in a study with the City to convert their approximately 140,000 gallon/day process water demand from potable to reclaimed. Site modifications including installation of a prefiltration system are necessary for the conversion. All the reimbursable capital, operating, and maintenance costs are being tracked in this two year study. Collected data will be used to analyze the true cost of supplying reclaimed water for industrial purposes.

On October 5, 1999, City Council adopted RR-292286 authorizing the Manager to implement the Water For Industry Pilot Study and executing the agreement with Toppan Electronics for the Phase 1 pilot project. That action also authorized the acceptance and expenditure of a \$1.75 million State Water Resources Control Board grant for the project.

This action would amend the Toppan agreement to increase the total amount of customer reimbursement by \$370,000; from \$450,000 to \$820,000. This is due to increased equipment costs, installation costs and regulatory compliance and construction costs.

The initial cost estimate was based on Jel Cleer Technology. Preliminary pilot testing revealed a more expensive technology, micro filtration, was required to meet the industrial water quality parameters. Additional construction and regulatory costs will be incurred due to the complicated, unique and unknown features associated with industrial process water systems. \$63,000 in cross connection prevention equipment and meters that was to be paid for directly by the City is now being purchased by Toppan. Additionally, the entire system cost has risen due to the fact that more reclaimed water use on site has been identified, thus the system size is larger than originally anticipated.

FISCAL IMPACT:

None. The State of California is providing all funding for this study up to \$1.75 million.

Loveland/Gardner/PG

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-127: Replacement of Barrier Rail on the Voltaire Street Bridge over Nimitz Boulevard.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1007) ADOPTED AS RESOLUTION R-292918

Accepting Program Supplement No. 131-R1 to Local Agency-State Agreement for Federal Aid Project No. 11-5004 (062) in the amount \$276,213 for Replacement of Barrier Rail on the Voltaire Street Bridge over Nimitz Boulevard;

Authorizing the appropriation of \$276,213 from Program Supplement No.131-R1 to CIP-52-519.0, Annual Allocation, Bridge Rails, HBRR Fund 38733, for Replacement of Barrier Rail on the Voltaire Street Bridge over Nimitz Boulevard, contingent on receiving a fully executed program supplement;

Authorizing the expenditure of an amount not to exceed \$312,000 from CIP-52-519.0, Annual Allocation - Bridge Rails, for Replacement of Barrier Rail on the Voltaire Street Bridge over Nimitz Boulevard, of which \$276,213 is from HBRR Grant Fund 38733, and \$35,787 is from TransNet Fund 30300, for the purpose of providing funds for the above project;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

The existing steel railing on the Voltaire Street Bridge over Nimitz Boulevard is substandard. This project provides for construction of a standard concrete barrier rail on the bridge and installation guardrail where required.

FISCAL IMPACT:

Funds below are available and programmed for this work:

Total estimated cost:	\$312,000
Total Contribution Through Program:	
Supplement No. 11-5004 (131) R1:	\$276,213
Total Contribution by City of San Diego (TransNet):	\$ 35,787

Loveland/Belock/PB

Aud. Cert. 2000854.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-128: HUD 108 Loan for the College-Rolando Library.

(See City Manager Report CMR-00-62. College and Rolando Community Areas. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1124) ADOPTED AS RESOLUTION R-292919

Authorizing the City Manager or his designee to apply for a HUD Section 108 loan of up to \$3,150,000 for the College-Rolando library and to set forth the legal authority and certifications necessary for such an application;

Authorizing the City Manager to accept and expend such funds, if approved, and amend the Capital Improvement Budget by adding \$3,150,000 to CIP Project No. 350880, the College-Rolando Library;

Authorizing the City Manager to conduct all negotiations and to execute and submit all documents related to this HUD Section 108 loan;

Authorizing the City Manager to consider this project for funds available pursuant to the March 7, 2000 passage of Proposition 14;

Authorizing the City Manager to use District 7 CDBG funds as the primary source of repayment of the HUD Section 8 loan with the understanding that other sources of repayment, if identified later, may also be used.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-129: Installation of Electrical Service to Lifeguard Station at the end of Chalcedony Street.

(Pacific Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1010) ADOPTED AS RESOLUTION R-292920

Adding CIP-37-235.0, Chalcedony Street Lifeguard Station - Electrical Service, to the FY 2000 Capital Improvements Program, and appropriating \$12,000 to the project for the installation of electrical conduit to the lifeguard station at the end of Chalcedony Street;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$12,000 from Fire and Life Safety Services (Fund 100, Dept. 120, Org. 320, OA 6010, JO 3200) to CIP-37-235.0, Chalcedony Street Lifeguard Station- Electrical Service;

Authorizing the expenditure of an amount not to exceed \$12,000 from CIP-37-235.0, Chalcedony Street Lifeguard Station-Electrical Service, for the purpose of funding the design and construction of the electrical conduit to the lifeguard station at the end of Chalcedony Street;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

This action authorizes the City Manager to add CIP-37-235.0, Chalcedony Street Lifeguard Station - Electrical Service, to the FY 2000 Capital Improvements Program, and to transfer \$12,000 from the Fire and Life Safety Services Department (Fund 100) to CIP-37-235.0 to construct electrical service to the lifeguard station at the end of Chalcedony Street. This action further authorizes the City Manager to add \$12,000 to CIP-37-235.0, Chalcedony Street Lifeguard Station - Electrical Service, for the installation of electrical service to the lifeguard station at the end of Chalcedony Street in the FY 2000 Capital Improvements Program.

FISCAL IMPACT:

The total cost of this project is \$12,000, which is being funded from the Fire and Life Safety Services (Fund 100).

Loveland/Belock/PKB

Aud. Cert. 2000873.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-130: Proposal for Temporary Mileage Reimbursement Relief for MEA's high mileage drivers and City employees who are required as a condition of employment to furnish a personal vehicle for City business.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1141) ADOPTED AS AMENDED AS RESOLUTION R-292921

Directing staff to implement an interim C-mileage increase of \$0.05. This increase shall be retroactive to March 1, 2000 and shall expire on June 30, 2000;

Authorizing the City Manager to execute on behalf of the City temporary mileage reimbursement relief for MEA's high mileage drivers and City employees who are required as a condition of employment to furnish a personal vehicle for City business.

CITY MANAGER SUPPORTING INFORMATION:

Proposal:

Provide a temporary \$0.05 cent per mile increase to the City's C-mileage reimbursement rate for those MEA represented employees who are either required to drive their personal vehicle for City business or who are high mileage drivers (3,000+ miles per year on City business). This proposal would be retroactive to March 1, 2000 and would continue through June 30, 2000.

Background:

The City has met with MEA on numerous occasions to discuss long term concerns over mileage reimbursement rates for those employees who are required to furnish a personal vehicle as a condition of employment to perform their routine and customary duties who are high mileage drivers. Over the course of these discussions, gas prices have steadily risen, with a dramatic increase this spring. This most recent increase has resulted in MEA requesting a more immediate short term solution, until a longer term solution can be negotiated. MEA has requested temporary relief due to soaring prices at the gas pump, which have increased 48 percent over March 1999. The average price per gallon is currently \$1.74. The current reimbursement rate is \$0.33 cents per mile, and there are no provisions to address high mileage drivers or employees who are required to use their personal vehicle for City business. This proposal would address these specific groups of drivers (approximately 350 employees) and would require that departments verify eligible participants.

City Manager's Recommendation:

Direct staff to implement \$0.05 C-mileage rate increase retroactive to March 1, 2000 for employees who are required to furnish a personal vehicle as a condition of employment to perform their routine and customary duties and who are high mileage drivers. Direct staff to explore a responsive reimbursement procedure within the context of re-opener provision for MOU extension. Direct staff to develop a reimbursement procedure which takes into account City requirement that employee provide a personal vehicle as a condition of employment for City business that may be subject to high mileage usage.

FISCAL IMPACT:

The fiscal impact covering the period of March 1, 2000 through June 30, 2000 covering four calendar months is estimated at \$35,000 - \$45,000 citywide and will be expended from existing budgeted funds.

Loveland/Herring/DK

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C190-200.)

MOTION BY McCARTY TO ADOPT WITH AN AMENDMENT TO MAKE THE PROPOSAL RETROACTIVE TO JANUARY 1, 2000. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-131: Extending the Family Shelter Component of the 1999/2000 Winter Shelter Program.

(See City Manager Report CMR-00-49.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1150) ADOPTED AS RESOLUTION R-292922

Authorizing the City Manager to extend the family shelter component of the 1999/2000 Winter Shelter Program for 30 days contingent upon funding availability;

Authorizing the transfer of \$60,000 from Council District 2 Fund 18535, Dept. 4196, Org. 9607 to the 1999/2000 Winter Shelter Program Fund 18535, Dept. 4187, Org. 8715 for the purpose of extending the 1999/2000 Winter Shelter Program;

Authorizing the City Manager to expend \$60,000 for extension of the family shelter, provided an Auditor's Certificate is issued;

Authorizing the City Manager to renegotiate and amend the existing lease agreement for the family shelter;

Authorizing the Auditor and Comptroller to appropriate and expend an amount not to exceed \$60,000 for the expansion of the family shelter component of the 1999/2000 Winter Shelter Program, provided an Auditor's Certificate is issued, demonstrating that the funds for the obligations are, or will be, on deposit in the City Treasury.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 3/15/2000, LU&H voted 3-0 to approve the City Manager's recommendation. (Councilmembers Wear, Stevens and McCarty voted yea. Councilmembers Kehoe and Warden not present.)

CITY MANAGER SUPPORTING INFORMATION:

On Wednesday, March 15, 2000, The Land Use and Housing Committee approved the recommendations as outlined in City Manager Report CMR-00-49. The Manager's Report recommends extending the operation of the Family Shelter for 90 days contingent upon securing funding. Staff has been able to secure funding for only 30 days and therefore recommends that the 90 day extension be reduced to 30 days. In addition, the County will be adding funds to the Regional Voucher Program, as well as, additional full time staff to provide intensive case management at the family shelter to ensure that no families are denied services. All families will be provided the opportunity to transition to alternative housing.

FISCAL IMPACT:

Council District 2 will transfer \$60,000 from Fund 18535, Dept. 4196, Org. 9607 to the 1999/2000 Winter Shelter Program Fund 18535, Dept. 4187, Org. 8715 for the extension of the Family Shelter. Staff will be able to present the funding described in more detail during our presentation to Council on April 11, 2000.

Loveland/Cunningham/HLL

Aud. Cert. 2000957.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-132: Abandonment of Cost Reimbursement District.

(See Housing Commission Report HCR-00-001. Skyline Community Area. District-4.)

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1103) ADOPTED AS RESOLUTION R-292923

Abandoning the Skyline Park Cost Reimbursement District (No. 4074).

FILE LOCATION: STRT - CR-22 (50)

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-ineligible, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-133: Outside Consultant Retention for Current and Anticipated Construction Litigation.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1104) ADOPTED AS RESOLUTION R-292924

Authorizing the City Attorney to enter into contracts for outside consultant and attorney services for an aggregate amount not to exceed \$300,000;

Authorizing the City Auditor and Comptroller to transfer \$300,000 from the Sewer Fund Unallocated Reserve Fund 41509, Department 777, Organization 445, Program Element 777210, Object Account 4903 to Fund 41509, Department 777, Organization 445, Object Account 4151;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$300,000 from Fund 41509, Department 777, Organization 445, Object Account 4151 for the purpose of funding these consultant agreements, contingent upon the issuance of an Auditor's Certificate by the City Auditor and Comptroller.

CITY MANAGER SUPPORTING INFORMATION:

As construction contracts for the upgrade and expansion of the City's sewage treatment system come to a close, many contractors are filing claims against the City for additional compensation. Most of these claims are for extended field and home office overhead, allegedly due to City-caused delays. To evaluate these claims, the City Attorney's Office has retained The Barrington Consulting Group, Inc. ("Barrington") to conduct comprehensive audits of the contractors' records. In addition to auditing contractors' records, these consultants review construction schedules, interview project personnel, prepare mediation presentations, and ultimately serve as expert witnesses for lawsuits that arise out of these claims.

Currently, the City is reviewing and analyzing nine claims that have not yet resulted in lawsuits. In total, these claims seek \$13,163,769 in compensation for both contractors and subcontractors. The City expects to receive a minimum of five more claims, which have not yet been officially submitted, totaling approximately \$2,925,711. Additionally, the City is currently a defendant in five lawsuits arising out of construction claims. In total, these actions seek \$14,413,973 in additional compensation.

On April 20, 1999 Council approved R-291512 amending the existing Barrington consulting agreement with an additional not-to-exceed amount of \$542,250. This resolution, with previous City Manager authorizing expenditures totaling \$207,750, resulted in a total combined not-to-exceed amount of \$750,000. In light of the number of claims still outstanding, and the amount of audit and review work predicted for anticipated matters, the City Attorney's Office requests an authorization to expend \$300,000 for outside consulting services on these claims for the balance of fiscal year 2000. Although the City has retained Barrington on all its claims, the City Attorney's Office is seeking to retain other consulting firms to assist in these matters in order to alleviate the significant work load currently handled by The Barrington Consulting Group, Inc.

FISCAL IMPACT:

Funds for the purpose are available in the Metropolitan Wastewater Department's FY 2000 O & M Budget, totaling \$300,000.

Loveland/Schlesinger/CB

Aud. Cert. 2000914.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-134: Del Mar Heights Road Waterline Relocation Reimbursement Agreement.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1012) ADOPTED AS RESOLUTION R-292925

Authorizing the City Manager to execute a Reimbursement Agreement with Del Mar - #104 LLC, for the design and construction of the Del Mar Heights Road Waterline Relocation;

Authorizing the appropriation and expenditure in an amount not to exceed \$784,290 from Facilities Benefit Assessment Fund 79002, contingent upon the City Auditor and Comptroller certifying that the funds necessary for the agreement are, or will be, on deposit in the City Treasury.

CITY MANAGER SUPPORTING INFORMATION:

Del Mar #104, LLC is required by Condition 14(b) of TM-85-0900 to relocate the existing 30 inch Del Mar Heights Pipeline to the new alignment for Del Mar Heights Road. This project has been included in the FY2000 Carmel Valley Public Facilities Financing Plan (Project #21-41) as being funded by the Carmel Valley North Facilities Benefit Assessment (FBA). Del Mar - #104, LLC, is therefore entitled to reimbursement from FBA Fund 79002 for construction of this project as indicated in the reimbursement agreement.

FISCAL IMPACT:

An estimated \$784,290 from Facilities Benefit Assessment Fund No. 79002 available for reimbursement in FY2000.

Loveland/Goldberg/GH

Aud. Cert. 2000943.

FILE LOCATION: STRT - FB-08-00 (33)

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-135: Reimbursement Agreement for the Installation of Sidewalk Improvements in Mission Valley.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-949) ADOPTED AS RESOLUTION R-292926

Amending the fund transfer agreement between the City and Metropolitan Transit Development Board (MTDB) for the installation of sidewalks in Mission Valley

that would have MTDB pay for 100 percent of the work already completed to date and the City would cover 100 percent of the remaining work;

Authorizing the City Manager to enter into a reimbursement agreement with Paseo Del Rio c/o LC-Mission Valley, LLC for the installment of sidewalk improvements in the vicinity of Fashion Valley Transit Center (1) north side of Friars Road east of the Morena/Linda Vista Station, about 1,000 feet; (2) the east side of Fashion Valley Road north of Hotel Circle North, about 660 feet; (3) the west side of Fashion Valley Road from Hotel Circle North to the bus stop, about 230 feet; (4) the north side of Hotel Circle west of Fashion Valley Road, about 800 feet, as shown on Engineering Drawing No. 28980-D, using TransNet Fund 30300, CIP-58-001.0, FY 2000 New Development, for an amount not to exceed \$107,812;

Accepting a grant deed from Paseo Del Rio c/o Mission Valley LLC, owner, for an easement for public street purposes and dedicating and naming the same Hotel Circle North;

Authorizing the expenditure of an amount not to exceed \$107,812 from CIP-58-001.0, New Developments, Fund No. 30300.

CITY MANAGER SUPPORTING INFORMATION:

In December of 1997, the City entered into an agreement with the Metropolitan Transit Development Board (MTDB) to share the cost of installing sidewalks at four specific locations in the vicinity of the Fashion Valley Transit Center and the Morena/Linda Vista Light Rail Transit Station. These locations are:

- 1) the north side of Friars Road east of the Morena/Linda Vista Station, about 1,000 feet;
- 2) the east side of Fashion Valley Road north of Hotel Circle North, about 660 feet;
- 3) the west side of Fashion Valley Road from Hotel Circle North to the bus stop, about 230 feet;
- 4) the north side of Hotel Circle North west of Fashion Valley Road, about 800 feet.

MTDB has completed the construction of sidewalk improvements at the first two locations listed above. On October 28, 1999, the MTD Board approved an amendment to this agreement that would have MTDB pay for 100 percent of the work already completed to-date, and the City would cover 100 percent of the remaining work. The total cost of the remaining work is \$107,812.

A portion of the street where the remaining sidewalk is proposed is presently owned by Paseo Del Rio, a California limited partnership, c/o LC-Mission Valley (referred to hereinafter as Developer). The Developer has agreed to dedicate ten feet of right-of-way at no cost to the City along Hotel Circle North west of Fashion Valley Road and on Fashion Valley Road along their fronting property where the sidewalk is proposed. Furthermore, the Developer will install the aforementioned improvements for an amount not to exceed \$107,812 to be reimbursed by the City. The City reimbursement represents the City's full share as agreed upon with MTDB.

FISCAL IMPACT:

Funds are available in CIP-58-001.0, FY 2000 New Developments, Fund No. 30300.

Culbreth-Graft/Haase/GH

Aud. Cert. 2000780.

FILE LOCATION: DEED F-7740

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

*ITEM-136: Industrial/Office Space Lease Amendment - Metropolitan Wastewater Department (MWWD).

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1064) ADOPTED AS RESOLUTION R-292927

Authorizing the City Manager to execute a First Amendment to Lease agreement with Gateway West Properties, Inc. for office space of 1,640 square feet at the Cabrillo Business Park located at 5450 Complex Street, Suite 310, to house

Metropolitan Wastewater Department's consultant, Westinghouse, commencing March 1, 2000 and terminating January 31, 2003, at an initial annual rent of \$1,427 per month;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$5,708 from Fund 41508, Department 771, for FY2000 Budget, for lease of the office space.

CITY MANAGER SUPPORTING INFORMATION:

MWWD's Consultant, Westinghouse, is located across the street from MWWD's MOC 2 location. Due to an increase in the daily interaction and workload between Westinghouse and MWWD, Westinghouse has expanded beyond current capacity. Per the contract with MWWD and Westinghouse, the City is to provide Westinghouse with sufficient space at no charge. MWWD proposes to lease the additional space for Westinghouse under the following basic terms:

TERM - Approximately 2 years, 11 months. Lease amendment will be effective March 1, 2000 and will terminate on January 31, 2003, the expiration date of the Lease.

RENT - \$0.87 per square foot or \$1,427 per month. This rent is considered below market for comparable industrial/office space. The rent will increase each year as follows:

\$1,498 - March 1, 2001

\$1,573 - March 1, 2002

USE - General office usage

SIZE - 1,640 square feet

FISCAL IMPACT:

\$5,708 will be paid from MWWD's Fund 41508, Dept. 771 for FY 2000.

Loveland/Griffith/DLM

Aud. Cert. 2000890.

FILE LOCATION:

LEAS - Gateway West Properties, Inc.

COUNCIL ACTION:

(Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-137: Two Lease Agreements with the United States of America, Department of Transportation, Federal Aviation Administration (FAA) at Montgomery Field.

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1063) ADOPTED AS RESOLUTION R-292928

Authorizing the City Manager to execute two lease agreements with FAA, which will allow the FAA to continue maintaining and operating navigational equipment that is an integral part of the Instrument Landing System which aids pilots when landing at Montgomery Field Airport. The two leases specially cover the following:

1. Lease of FAA Middle Marker Runaway 28: allowing ingress and egress to .064 acres at Montgomery Field Airport to maintain the premises and FAA equipment on the premises.
2. Lease of FAA Glide Slope, Runway 28: allowing ingress and egress to .234 acres at Montgomery Field Airport, to maintain the premises and its electrical lines and equipment on the premises.

CITY MANAGER SUPPORTING INFORMATION:

These two leases replace leases, currently on holdover status, that the City has with the United States of America, Department of Transportation, Federal Aviation Administration (FAA). The leases authorize FAA to operate and maintain its navigational equipment that is part of the Instrument Landing System (ILS) on City-owned Montgomery Field Airport (MYF). The ILS aids pilots when landing at the Airport.

DISCUSSION: Approval of these leases will allow FAA to continue maintaining and operating its navigational equipment at MYF. These are nonrevenue, one-year leases, commencing retroactive on December 1, 1999, with annual renewals at FAA's option, for a maximum term not to exceed November 30, 2019.

(1) FAA MIDDLE MARKER RUNWAY 28: .064 acres at Montgomery Field Airport. This lease authorizes FAA to ingress and egress the leased premise to maintain the premise and FAA's equipment on the premise. The Middle Marker consists of an antenna, approximately 25' high and a small shed. This equipment aids pilots in lining up the aircraft with the runway when on an approach to MYF.

(2) FAA GLIDE SLOPE, RUNWAY 28: .234 acres at Montgomery Field Airport.

This lease authorizes FAA to ingress and egress the leased premises to maintain the premise and its electrical lines and equipment on the premise. The Glide Slope provides vertical guidance for pilots.

FISCAL IMPACT:

These are nonrevenue producing leases; FAA's consideration to City is FAA's cost of maintaining the premise and its equipment, which is estimated to exceed the nominal rental value of the premises.

Loveland/Griffith/DLD

FILE LOCATION: LEAS - United States of America, Department of Transportation, Federal Aviation Administration (FAA) at Montgomery Field

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-138: Agreement with Latitude 33 Planning and Engineering for Professional Services for Camino Ruiz Extension.

(Rancho Peñasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-381 Cor. Copy) ADOPTED AS RESOLUTION R-292929

Authorizing an agreement with Latitude 33 Planning and Engineering to provide professional services for Camino Ruiz Extension;

Authorizing the expenditure of an amount not to exceed \$451,613 from CIP-52-653.0, Camino Ruiz Extension Alignment Study and Environmental document for a four-lane major roadway from State Route 56 Interchange, south to connect with existing improvements at Dormouse Road;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

Per the Community Plan, Camino Ruiz is the major street connecting the southwest corner of Rancho Peñasquitos to the future Carmel Mountain Road and State Route 56. The extension of Camino Ruiz is a combined FBA/Developer responsibility. This project will provide a four-lane major street with Class 11 bike lanes from State Route 56 interchange, south to connect with existing improvements at Dormouse Road. The proposed consultant agreement with Latitude 33 Engineering & Planning provides the professional services required for the alignment grade study and preparation of environmental document. The developer's portion of this work has been completed and will be incorporated into the Master Environmental Document.

FISCAL IMPACT:

The total fee for providing professional services under this agreement is \$451,613. Funds are available in CIP-52-653.0, Camino Ruiz Extension, FBA Fund 79004.

Loveland/Belock/PB

Aud. Cert. 2000857.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-139: Reprogramming of Funds and Second Amendment to Agreement, Clairemont Boys and Girls Club.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1087) ADOPTED AS RESOLUTION R-292930

Authorizing the execution of a Second Amendment to the agreement with the Boys and Girls Clubs, for improvements of the Clairemont facility at 4635 Clairemont Mesa Boulevard;

Approving the reprogramming of \$144,517 from Fund 18530, Dept.4062, Org. 6225 (Linda Vista Branch Library); \$128,000 to Fund 18535, Dept. 4182, Org. 8204 (Boys and Girls Club-Clairemont), and \$16,517 to Fund 18535, Dept. 4197, Org. 9706 (District 6 Reserve);

Approving the expenditure of \$128,000 from CDBG Fund 18535, Dept. 4182, Org. 8204, Job Order 112715 for this project.

CITY MANAGER SUPPORTING INFORMATION:

The Boys and Girls Clubs of San Diego is a non-profit organization which provides vocational guidance, supplemental education, counseling, health and physical education and social recreation for San Diego's youth. The Club has four (4) branches: Logan Heights, Linda Vista, Clairemont and Encanto. The proposed actions will provide for additional funding required to complete the project and award construction of the Clairemont Boys and Girls Club improvements designed by Precision Survey and Mapping. The project includes improvements

to its existing facility located at 4635 Clairemont Mesa Boulevard, San Diego, CA 92117. The improvements consist of construction of a multi-purpose court, tot lot, parking lot and entry driveway. On April 29, 1997 the City Council adopted Resolution No. R-288602 granting \$112,000 of Fiscal Year 1998 CDBG funding to the Boys and Girls Clubs of San Diego for the improvements of its Clairemont Branch facility. On May 11, 1998 the City Council adopted Resolution No. R-290087 granting \$25,000 of Fiscal Year 1999 CDBG funding to be added to the project. City Council action is requested to allow \$108,800 to be expended for this improvement project, with the remaining \$19,200 retained for City Administrative costs.

FISCAL IMPACT:

- A. Funds of \$128,000 for the project are available in CDBG Fund No. 18535. City Administrative costs have been retained.
- B. Funds of \$16,517 to be returned to Council District 6 reserves are available in CDBG Fund No. 18535.

Loveland/Belock/FS

Aud. Cert. 2000882.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-140: Contract Change Order No. 2 - Lake Murray Boat Facilities/Comfort Station.

(Mission Trails Park Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1101) ADOPTED AS RESOLUTION R-292931

Authorizing the transfer of an amount not to exceed \$60,000 from Fund No. 41500, Water Fund Unallocated Reserve to CIP-73-320.0, Lake Murray Boat Facilities/Comfort Station;

Approving Change Order No. 2, dated January 26, 2000 with Golden Springs Construction for the construction of Lake Murray Boat Facilities/Comfort Station, increasing the contract price by \$23,107;

Authorizing the appropriation and expenditure of an amount not to exceed \$60,000 from CIP-73-320.0, Lake Murray Boat Facilities/Comfort Station;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

On September 9, 1998 by Resolution No. R-290738, the City Council authorized the advertisement and award of a construction contract for the Lake Murray Boat Facilities project. Lake Murray is located on the Eastern Boundary of the City of San Diego, at 5510 Kiowa Drive. The City of San Diego received a State Boating and Waterway grant to help finance this project. This grant will reimburse \$643,000 of the City's cost for this project. The project entailed the construction of a new boat ramp and boarding dock, a new comfort station, modification and resurfacing of the parking lot and landscaping throughout the parking lot. This action is to request additional funding to closeout the project and to compensate the contractor for construction change order (CCO) No. 2. CCO 2 will compensate the contractor \$23,107, for City directed changes to the original design (\$13,107) and changed field conditions (\$10,000).

FISCAL IMPACT:

The estimated total project cost is \$778,000, of which \$643,000 are funded by a state grant. The expenditure of \$718,000 has been previously authorized. The additional \$60,000 required is available from the Water Fund Unallocated Reserve, Fund No. 41500.

Belock/Oskoui/AG

Aud. Cert. 2000889.

FILE LOCATION:

CONT - Golden Springs Construction

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-141: Three actions related to Nominations to Boards and Commissions.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1065) ADOPTED AS RESOLUTION R-292932

Confirming the following reappointments by the Mayor to serve as members of the International Affairs Board for terms expiring March 1, 2002:

George E. Woodworth
Sandra L. Long
J'aince Hampton-Hameed
Kaneko Oshima Bishop
Badi Badiozamani
Ella Isabelle Flores-Paris

Subitem-B: (R-2000-1066) ADOPTED AS RESOLUTION R-292933

Confirming the reappointment by the Mayor of Karen Spring (Community Planning Committee) to serve as a member of the Old Town Planned District Design Review Board, for a term ending March 1, 2004.

Subitem-C: (R-2000-1067) ADOPTED AS RESOLUTION R-292934

Confirming the following reappointments by the Mayor to serve as members of the La Jolla Shores Planned District Advisory Board, for terms ending April 1, 2002:

John Hucko
Linda Moreland
Richard Friedland
David J. Mandelbaum

FILE LOCATION: SUBITEMS A, B, & C: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-142: Declaring a Continued State of Emergency regarding the Discharge of Raw Sewage.

(District-8.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2000-1036) ADOPTED AS RESOLUTION R-292935

Declaring a continued state of emergency regarding the discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: GEN'L - State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-143: Settlement of the Claim of Kirk Humphries.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1032) ADOPTED AS RESOLUTION R-292936

A Resolution approved by the City Council in Closed Session on Tuesday, March 21, 2000, by the following vote: Mathis-nay; Wear-yea; Kehoe-nay; Stevens-yea; Warden-yea; Stallings-nay; McCarty-yea; Vargas-yea; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$225,000 in the settlement of each and every claim against the City, its agents and employees, (Superior Court Case No. 721054, Kirk Humphries v. City of San Diego, et al.);

Authorizing the City Auditor and Comptroller to issue one check in the amount of \$225,000 made payable to Kirk Humphries, in full settlement of the lawsuit and all claims; and that said funds are to be payable from Fund No. 81140, Public Liability Reserve Fund.

Aud. Cert. 2000916.

NOTE: The Auditor's Certificate was not requested prior to Closed Session. The vote taken in Open Session shall be the official vote.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-nay, Stevens-yea, Warden-yea, Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-ineligible.

ITEM-150: Mentor-Protégé Program.

(See City Manager Report CMR-00-02.)

(Continued from the meeting of March 13, 2000, Item 150, at the request of Councilmembers Wear, Kehoe, and McCarty, for full Council.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2000-925) ADOPTED AS AMENDED AS RESOLUTION R-292937

Authorizing the proposed Mentor-Protégé Program designed in cooperation with the Associated General Contractors of San Diego;

Authorizing the City Manager to pursue sponsors for the three-year pilot program;

Authorizing the City Manager to implement the Mentor-Protégé Program as outlined in the City Manager Report CMR-00-02, dated January 5, 2000.

**PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S
RECOMMENDATION:**

On 1/12/2000, PS&NS voted 4-1 to accept the City Manager's recommendation with the understanding that the Associated General Contractors and the City Manager will work to identify and secure additional funding for this program outside of the City's budget. The City Manager was directed to return to the Public Safety and Neighborhood Services Committee on August 2, 2000, with an informational report regarding the implementation and operation of the program. (Councilmembers Mathis, Wear, Warden and Stallings voted yea. Councilmember Stevens voted nay.)

CITY MANAGER SUPPORTING INFORMATION:

Funds have been made available through Council District 5, FY98 CDBG funds (\$45,000) with additional funding anticipated from the Convention Center (\$15,000 per year for two years). Additional sponsors will be pursued (i.e. Centre City Development Corporation, County Water Authority, County, Port District, San Diego Unified School District) to support additional proteges. The size of the program will depend on the amount of funding secured with the pilot program not exceeding \$225,000 over a three year period.

Culbreth-Graft/Cunningham/DFP

Aud. Cert. 2000754.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT WITH AN AMENDMENT TO MANAGER'S REPORT 00-02, DATED JANUARY 5, 2000, TO REMOVE THE STATEMENT THAT SPECIFICALLY PRECLUDES MENTORS AND PROTEGES FROM HAVING A BUSINESS RELATIONSHIP. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200: Hodges Golf Improvement Center.

(Continued from the meeting of February 1, 2000, Item 331, at the request of the City Manager to give staff an opportunity to meet with attorneys because the lease has not been negotiated; last continued on February 7, 2000, Item S405, at the request of Councilmember Wear to gather more information and for further consideration.)

Matter of recommending approval, conditional approval, modification, or denial of a proposal to grade portions of a 17.5-acre site as necessary to construct and operate a golf improvement center. The project features a golf driving range, practice tees, a clubhouse structure, maintenance and mechanical equipment buildings, a miniature golf course, parking spaces and corresponding site improvements. The project site is located on the south side of Sunset Drive, between Interstate 15 and Via Rancho Parkway, within the A-1-10 zone of the San Pasqual Valley Community Plan area. The subject property, which is owned by the City of San Diego, would be leased to the applicant as specified by a corresponding Lease Agreement. Project approval will also require City Council adoption of corresponding amendments to the San Pasqual Valley Community Plan and the City's Progress Guide and General Plan as necessary to allow a commercial-recreation land use on the subject property, via approval of a Conditional Use Permit.

(CPA/RPO/CUP/PG&GP AMENDMENT/LEASE AGREEMENT 98-0466. San Pasqual Valley Community Plan Area. District-5.)

NOTE: The public testimony portion of the hearing is closed. Public testimony taken on 2/7/2000.

CITY MANAGER'S RECOMMENDATION:

Adopt the Resolutions in Subitems A, C, and D; and adopt the Resolution in Subitem B to grant the permit:

Subitem-A: (R-2000-801) ADOPTED AS RESOLUTION R-292938

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration (MND)-LDR-98-0466, dated October 21, 1999, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said MND reflects the independent judgment of the City of San Diego as Lead Agency; stating for the record that the final MND has been reviewed and considered prior to approving the project; and adopting the Mitigation Monitoring and Reporting Program (MMRP).

Subitem-B: (R-2000-1247) GRANTED PERMIT, ADOPTED AS
RESOLUTION R-292939

Adoption of a Resolution granting or denying Conditional Use (CUP) and Resource Protection Ordinance (RPO) Permit No. 98-0466, with appropriate findings to support Council action.

Subitem-C: (R-2000-802) ADOPTED AS AMENDED AS RESOLUTION R-292940

Adoption of a Resolution amending the San Pasqual Valley Community Plan to allow a commercial-recreation land use on the subject property, via discretionary approval of a Conditional Use Permit;

Amending the San Diego Progress Guide and General Plan to allow a commercial-recreation land use on the subject property, via discretionary approval of a Conditional Use Permit;

Adding language prohibiting consideration of a commercial-recreation land use on the "Pinery Tree Farm" property located on the south side of Lake Hodges on Highland Valley Road.

Subitem-D: (R-2000-803) ADOPTED AS RESOLUTION R-292941

Adoption of a Resolution approving the corresponding Lease Agreement between the Leaseholder (City of San Diego) and the Lessee (Hodges Golf Improvement Center, L.L.C.).

OTHER RECOMMENDATIONS:

Planning Commission voted 5-2 to approve Conditional Use and Resource Protection Ordinance Permit No. 98-0466 subject to implementation by the Permittee of the recommendations of the Rancho Bernardo Community Planning Board (correspondence dated October 22, 1999) and the San Dieguito River Park Joint Powers Authority (correspondence dated October 19, 1999) for this project. No action was taken on the environmental document; was opposition.

Ayes: Steele, Brown, Skorepa, Stryker, White

Nays: Anderson, Butler

On December 10, 1998, the San Pasqual Valley-Lake Hodges Community Planning Group recommended approval of the project.

On October 21, 1999, the adjacent Community Planning Group, Rancho Bernardo, voted unanimously to conditionally support the project (see correspondence dated October 22, 1999).

On October 15, 1999, the San Dieguito River Park Joint Powers Authority (JPA) Board of Directors determined (by a vote of 5-0-2) that the proposed development would be inconsistent with the River Park goals to retain existing agricultural uses and preserve the existing flood plain, as outlined in Attachment No. 9 (Report to the Planning Commission).

SUPPORTING INFORMATION:

Hodges Golf Improvement Center (CPA/GPA/RPO/CUP 98-0466)

The project proposes to finish grade portions of a vacant, previously disturbed 17.5 acre site as necessary to construct a (public) golf improvement center. The project site is located on the south side of Sunset Drive within the San Pasqual Valley Community Plan. The project features a golf driving range, clubhouse building, a miniature golf course, chipping and putting greens,

and landscaping. Project approval will also require the City Council to adopt amendments to land use on the property. The property, which is owned by the City of San Diego, would be leased to the applicant for a period of 25 years per a corresponding Lease Agreement between the City and the applicant.

On November 18, 1999, the Planning Commission voted (5-2-0) to recommend approval of the proposed project, subject to conditions of approval contained within Resource Protection Ordinance/Conditional Use Permit No. 98-0466. The Planning Commission further conditioned their recommendation upon project compliance with specific recommendations of the Rancho Bernardo Community Planning Board and the San Dieguito River Park Joint Powers Authority (JPA) (submitted in writing as public testimony during the Planning Commission hearing). The project will comply with a majority of these recommendations, with the exception of the following:

3. Recommendation: The wetland buffer setback issue between the City and the Resource Agencies (i.e. California Department of Fish and Game, and US Fish and Wildlife Service) must be resolved prior to the issuance of any grading permits for the project.
 Staff Response: The City and the Resource Agencies are continuing negotiations to determine a collateral interpretation of the appropriate wetlands setback for this project. However, as concluded in the project's final environmental document (MND 98-0466), staff remains confident that the project's proposed wetland buffer is consistent with the MSCP's Sub-Area Plan and will afford an adequate physical separation between the proposed driving range and adjacent wetland habitat in this portion of the valley.

2. Recommendation: Applicant shall construct finished improvements for the portion of the JPA's planned "Coast-to-Crest" equestrian/hiking trail proposed along the east and south perimeters of the project site, including compacted decomposed granite (d.g.) surfacing and fencing between the trail and the adjacent wetland areas.
 Staff Response: Staff does not support this recommendation primarily because the facilitation of such finished trail improvements (by the applicant for this project) presupposes the trail's "final" alignment along this portion of the San Pasqual Valley, which has not yet been approved by the JPA, the City, and the Resource Agencies.

FISCAL IMPACT:

None.

All costs associated with the processing of this project are recovered from a deposit provided by the applicant.

Culbreth-Graft/Christiansen/KS

SUPPORTING INFORMATION:

Lease--Hodges Golf Improvement Center in San Pasqual Valley

On January 14, 1998, Land Use and Housing Committee authorized exclusive lease negotiations with Hodges Golf Improvement Center (Hodges) for the construction and operation of a golf driving range and related activities on 17.47 acres on Sunset Drive in San Pasqual Valley. Hodges has invested approximately \$600,000 in environmental studies and will invest an additional \$1.5 million in improvements to the leasehold if the lease is approved. During the negotiation process, staff surveyed other driving ranges within the area and the percentages listed below are competitive with similar operations. The basic terms of the lease are:

USE - Golf Improvement Center, restaurant and pro-shop

TERM - 25 years

MINIMUM RENT - Years 1-5.....\$15,000;
Years 6-25.....80% of the average of last two years.

PERCENTAGE RENT--Restaurant, Pro-shop, Putting Green.....7%

Beer and Wine.....5%

Golf School and Miniature Golf.....6%

Driving Range: Years 1-5.....5.0%

6-10....10.5%

11-15....11.0%

16-20....11.5%

21-25....12.0%

The proposed lease reflects the City's updated lease provisions, including the Multiple Species Conservation Program, Best Management Practices, Cultural and Biological Issues and the San Dieguito River Valley Park Trail System. The Water Department has reviewed and approved this lease.

FISCAL IMPACT:

Minimum annual rent of \$15,000 will be deposited into the Water Department Fund 41500.

Culbreth-Graft/Griffith/DWE

The project site is located on the south side of Sunset Drive, between Interstate 15 and Via Rancho Parkway, north of Hodges Reservoir, within the A-1-10 zone of the San Pasqual Valley Community Plan area, and is legally described as all that portion of Rancho San Bernardo in the City of San Diego, County of San Diego, according to patent map thereof (recorded book 2, Page 462 of patents).

COUNCIL ACTION: (Tape location: B428-C171.)

Hearing closed.

COUNCIL MEMBER WARDEN READ INTO THE RECORD THAT PRIOR TO RECEIVING A CERTIFICATE OF OCCUPANCY FROM THE CITY OF SAN DIEGO, HODGES GOLF IMPROVEMENT CENTER WILL DEPOSIT A CASH CONTRIBUTION OR BOND WITH THE SAN DIEGUITO RIVER PARK FOR \$47,700 GUARANTEEING THAT THE TRAIL WILL BE BUILT TO THE RIVER PARK'S SPECIFICATIONS AS SOON AS FINAL OCCUPANCY IS OBTAINED FOR THE PROJECT.

Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-nay, Stevens-yea, Warden-yea, Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-nay.

ITEM-201: Master Lease Agreement.

(See City Manager Report CMR-00-59.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2000-157) INTRODUCED, TO BE ADOPTED ON MAY 1, 2000

Introduction of an Ordinance authorizing a Master Lease Agreement with Koch Financial Corporation to serve as a primary lease provider for the three-year lease term and back-up for the four-year lease term, for the purpose of financing the acquisition of equipment through lease-purchase;

Authorizing a Master Lease Agreement with Banc One Leasing Corporation to serve as a primary lease provider for the four-year lease term and as back-up lease provider for three-year and five-year lease terms, for the purpose of financing the acquisition of equipment through lease-purchase;

Authorizing a Master Lease Agreement with PB Municipal Funding, Incorporated to serve as a primary lease provider for the five-year, six-year, and seven-year lease terms, for the purpose of financing the acquisition of equipment through lease-purchase;

Authorizing a Master Lease Agreement with Key Municipal Finance to serve as back-up lease provider for the six-year, and seven-year lease terms, for the purpose of financing the acquisition of equipment through lease-purchase.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B100-425.)

Hearing began at 3:10 p.m. and halted at 3:22 p.m.

CONSENT MOTION BY STALLINGS TO INTRODUCE THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202: Emergency Ordinance Authorizing Replacement of Alvarado Trunk Sewer.

(Alvarado Canyon Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-2000-156) INTRODUCED AND ADOPTED AS ORDINANCE
O-18789 (New Series)

Introduction and adoption of an Emergency Ordinance, pursuant to Section 17 of the City Charter, authorizing emergency repairs to the Alvarado Trunk Sewer under the City's existing Job Order Contract with Balboa Construction, Inc.;

Waiving the contractor's present total and task order limits;

Authorizing the expenditure of an amount not to exceed \$1,970,000 from Fund No. 41506, Annual Allocation-Infrastructure Upgrade, CIP-46-215.0, to provide funds for the Alvarado Trunk Sewer Replacement Task Order.

NOTE: 6 votes required pursuant to Section 17 of the City Charter.

CITY MANAGER SUPPORTING INFORMATION:

The Mayor and City Council have been carefully briefed on the nature, cause and response to the major sewer spill in Alvarado Canyon. See memorandums of February 29, 2000 and March 17, 2000. Further, the Regional Water Quality Control Board has scheduled a May 10, 2000 hearing to consider administrative civil liability against the City that could be assessed at \$10,000 per day of violation and \$10 per gallon spilled. The Metropolitan Wastewater Department plans a number of corrective measures, which are described in detail to the Regional Board. These include an emergency sewer notification system based on flow meters with alarm systems, an independent audit of the City's sewer overflow response plan, and a relocation of the Alvarado Trunk Sewer. It is critical that this relocation be accomplished in the shortest time consistent with good engineering practices. Balboa Construction, Inc., the City's existing job order contractor, is very familiar with the unique needs of this project. However, their existing contract is statutorily limited to a fixed dollar amount, and insufficient funds remain to complete this project (San Diego Municipal Code Sections 22.3103 and 22.3104). This emergency

ordinance would expedite the relocation of this critical sewer by authorizing the work by an existing and experienced contractor and waive both the contractual and job order monetary limits for purposes of this work only.

FISCAL IMPACT:

Funds are available in Annual Allocation - Infrastructure Upgrade, CIP-46-215.0, in the sum of \$1,970,000.

Belock/Schlesinger/Bromfield

Aud. Cert. 2000938.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203: Office Space Lease Amendment - 600 "B" Street.

(Centre City Community Area. District-2.)

(Continued from the meeting of March 13, 2000, Item 50, at the City Manager's request, for full Council.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2000-144) INTRODUCED, TO BE ADOPTED ON MAY 1, 2000

Introduction of an Ordinance authorizing the City Manager to execute a third amendment to the office lease, commencing August 25, 2000 and terminating May 31, 2003, with 400 West Broadway, LLC.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

CITY MANAGER SUPPORTING INFORMATION:

The Water Department, located in the Comerica Building at 600 "B" Street, has expanded beyond current capacity. Recently, the City was provided with the opportunity to lease the 6th floor of the building. The Water Department is proposing to lease the additional space under the following basic terms:

TERM - Approximately 2 years, 9 months. Lease Amendment will be effective August 25, 2000 and will terminate on May 31, 2003, the expiration date of the Master Lease.

RENT - \$1.38 per square foot or \$19,314.48 per month.

USE - General office usage for the Water Department's CIP staff.

SIZE - 13,996 square feet.

CONTRACTION AND TERMINATION RIGHTS - During the remaining 2.9 years left on the Master Lease, the City rescinds its right to contract out of space and/or terminate space.

FISCAL IMPACT:

\$197,506.13 will be paid from Fund 41500, Water Department's Job No. 8800, for FY 2001.

Culbreth-Graft/Griffith/DLM

Aud. Cert. 2100001.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO INTRODUCE THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-nay, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-nay, Mayor Golding-yea.

ITEM-204: Exempting One Assistant Deputy Director Position from the Classified Service.

CITY MANAGER'S RECOMMENDATION:

Hold the first public hearing of the following ordinance:

(O-2000-147) HEARING HELD

First public hearing in the matter of amending Ordinance O-18667 (New Series), as amended, entitled "An Ordinance adopting the Annual Budget for the Fiscal Year 1999-2000 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-18667 to add the position of Assistant Deputy Director in the Water Department, and exempting the position from the Classified Service.

CITY MANAGER SUPPORTING INFORMATION:

The Water Department is requesting that an Assistant Deputy Director position be created that is exempted from the Classified Service. This Assistant Deputy Director position will be responsible for assisting the Chief Deputy Director of Management Services with the day to day administration and operations of the division. The division includes approximately 220 employees and a \$39 million budget. There are four major sections within the Management Services Division, Customer Service/Office, Customer Service/Field, Meter Shop and Water Resources Management, each providing service to customers city wide. On February 3, 2000, the Civil Service Commission reviewed this request and voted unanimously to support the exemption of this position from the Classified Service.

FISCAL IMPACT:

The total estimated budgetary impact for this position for the remainder of this fiscal year is \$40,260.

Loveland/Gardner/PM

Aud. Cert. 2000827.

NOTE: Today's action is the first public hearing of the ordinance. See Item 346 on the docket of Tuesday, April 11, 2000 for the second public hearing and introduction and adoption of the ordinance.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO APPROVE THE FIRST HEARING.

Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-205: Two actions related to Approving the Plans and Specifications and Inviting Bids for the Replacement of Bayview Reservoir.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-940) ADOPTED AS RESOLUTION R-292942

Approving the plans and specifications and inviting bids for Replacement of Bayview Reservoir on Work Order No. 180261;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$11,861,642 from CIP-73-236.0, Bayview Reservoir, Water Revenue Fund No. 41500, and an amount not to exceed \$507,707 from CIP-73-331.0, Annual Allocation for Pooled Contingency, Water Revenue Fund No. 41500, for the construction of Replacement of Bayview Reservoir, provided that the City Auditor first furnishes a certificate certifying that the funds necessary for the expenditure will be on deposit with the City Treasurer;

Authorizing the City Manager to establish contract funding phases and execute a construction contract with the lowest responsible and reliable bidder;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$25,000 from CIP-73-236.0, Bayview Reservoir, for property related costs;

Authorizing the use of City Forces to install valves, temporary bypass piping and portable pumping units, and do other related work for costs not to exceed \$350,000;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K20070C)

Subitem-B: (R-2000-941) ADOPTED AS RESOLUTION R-292943

Certifying that the information contained in DEP-94-0474 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

The Bayview Reservoir was originally constructed in 1950 to provide increased water storage in the La Jolla and Mission/Pacific Beach service area. The facility was constructed as an earth berm structure with concrete lining and has a capacity of 10 million gallons (MG). This reservoir is supplied by the 30 inch diameter Kearny Mesa Pipeline and conveys water to the service area via the Electric Avenue Pipeline and the Bayview Pump Plant. Since it was constructed, the reservoir has continued to be an integral component of the City's water system. Due to the age of the facility and the construction standards in place 50 years ago, the service life of the reservoir is approaching the end. A recent video inspection has shown that the existing structure is deteriorated to the point that replacement is necessary to ensure continued water quality and to address the existing concrete roof structure which is vulnerable to collapse. Replacement of the Bayview Reservoir is the last of a sequence of projects within the Capital Improvement Program for the La Jolla/Soledad areas. The original design, which was completed in 1992, consisted of demolishing the existing 10 MG reservoir and replacing it with a larger 18 MG reservoir to address water system capacity considerations but was delayed due to funding constraints. Over the past eight years since the 18 MG design was completed, installation of additional pipelines within the service area has reduced the need for additional water storage at this facility. The current design includes replacement of the existing 10 million gallon reservoir with a new reinforced concrete structure at the same capacity. Also included will be miscellaneous site piping, new inlet and outlet structures and new landscaping and irrigation around the perimeter of the reservoir. The Water Department intends to utilize City Forces for the installation of valves, piping and temporary pumping which will be less expensive and timelier due to the City owning their own equipment. The Capital Improvements Program has performed an extensive community outreach program for this project.

FISCAL IMPACT:

Funding in the amount of \$11,861,642 is available in Water Revenue Fund 41500, CIP-73-236.0, Bayview Reservoir and \$507,707 is available in Water Revenue Fund 41500, CIP-73331.0, Annual Allocation for Pooled Contingency.

Loveland/Gardner/OAK

FILE LOCATION: SUBITEMS A & B: CONT - PRO Contracting Corp;
W.O. 180261

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206: Approving the Plans and Specifications and Inviting Bids for the Construction of La Jolla - Pacific Beach Trunk Sewer Manhole and Vault Rehabilitation Project.

(La Jolla, Pacific Beach, and Mission Bay Community Areas. Districts-1, 2 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1102) ADOPTED AS RESOLUTION R-292944

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for construction of the La Jolla - Pacific Beach Trunk Sewer Manhole and Vault Rehabilitation Project on Work Order No. 174781;

Authorizing the City Manager to establish contract phases and execute a construction contract with the lowest responsible and reliable bidder for La Jolla - Pacific Beach Trunk Sewer Manhole and Vault;

Authorizing the City Auditor and Comptroller to transfer \$251,250 from Sewer Fund 41506, CIP-46-158.0, Mission Bay Interceptor to Sewer Fund 41506, CIP-46-194.0, Annual Allocation -Trunk Sewer Rehabilitation Project;

Authorizing the expenditure of not to exceed \$1,280,150 from Sewer Fund 41506, CIP-46-194.0, Annual Allocation - Trunk Sewer Rehabilitation, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K20071C)

CITY MANAGER SUPPORTING INFORMATION:

The La Jolla-Pacific Beach Trunk Sewers are located in the La Jolla and Pacific Beach communities. This project includes the rehabilitation of 113 existing manholes and vaults, and the replacement of 95 existing manholes. The two (2) trunk sewers were built in 1949 and 1971. Due to the deteriorated conditions of the existing manholes and concerns with collapse, it was determined that this work needs to be performed as an accelerated project as it poses potential public health and safety issues. The completion of this project will provide a safe and reliable sewer infrastructure.

FISCAL IMPACT:

The total cost of this project is estimated at \$1,532,697 of which \$1,280,250 is available in Fiscal Year 2000 Sewer Fund 41506, CIP-46-194.0, Annual Allocation Trunk Sewers and Sewer Fund 41506, CIP-46-158.0, Mission Bay Interceptor, (Sub. CIP-46-158.4, Mission Bay Interceptor Phase IV) for this purpose.

Loveland/Belock/AO

Aud. Cert. 2000046.

WWF-99-395.

FILE LOCATION: CONT - BRH Garver, Inc.; W.O. 174781

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-207: Two actions related to Approving the Plans and Specifications and Inviting Bids for the Construction of Sewer Group 464B.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-996) ADOPTED AS RESOLUTION R-292945

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of Sewer Group 464B on Work Order No. 175011;

Authorizing the City Manager to execute a contract with the lowest responsible bidder;

Authorizing the expenditure of not to exceed \$1,412,119 from Sewer Fund 41506 (CIP-44-001.0, Annual Allocation - Sewer Main Replacement), provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K20064C)

Subitem-B: (R-2000-997) ADOPTED AS RESOLUTION R-292946

Certifying that the information contained in Mitigated Negative Declaration LDR-98-1182, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the

declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sewer Replacement Group 464B is part of the City of San Diego's continuing annual sewer main replacement program. This project is in the Centre City Community area and consists of constructing approximately 3,860 linear feet of sewer main. Also, this project includes slurry sealing of the impacted streets. The streets within this project which will be affected by construction operation are 14th Street from F Street to Broadway, Broadway from 15th Street to 11th Avenue, and 11th Avenue from E Street to A Street. Residents will be notified by mail at least one (1) month before construction begins by the City's Engineering and Capital Projects Department and again ten (10) days before construction begins by the contractor through hand distribution.

FISCAL IMPACT:

The total estimated cost of this project is \$1,412,119. Funds are available from Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacement for this purpose.

Loveland/Belock/HR

WWF-00-438.

FILE LOCATION: SUBITEMS A & B: CONT - Cal Southwest
Construction; W.O. 175011

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-208: Two actions related to Approving the Plans and Specifications and Inviting Bids for the Construction of Sewer Group 530.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1004) ADOPTED AS RESOLUTION R-292947

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of Sewer Group 530 on Work Order No. 173391;

Authorizing the City Manager to execute a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$1,428,011 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacement, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K20065C)

Subitem-B: (R-2000-998) ADOPTED AS RESOLUTION R-292948

Certifying that the information contained in Mitigated Negative Declaration DEP-94-0663, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

The sewer mains along Rosecrans Street were constructed in 1924 to convey sewage within the Peninsula Community area, from Talbot Street to Kellogg Street. The existing concrete sewer mains are deteriorated and are in need of replacement. This project includes the installation of approximately 3,630 feet of 8-inch sewer main along Rosecrans Street. Approximately 2,670 feet of the proposed alignment will be constructed by trenchless technology to minimize traffic impact. This project also includes the construction of 17 pedestrian ramps and slurry sealing of the impacted portions of the roadway along Rosecrans Street from Talbot Street to Kellogg Street. This project is not located within CalTrans limit. This project was presented to the Peninsula Community at several phases of the design by the Engineering & Capital Projects Department and a future presentation will be given to the community prior to construction. Residents will be notified by mail at least one month before construction begins by the City's Engineering & Capital Projects Department.

FISCAL IMPACT:

The total project cost is estimated at \$1,428,011 and it is available from Sewer Fund 41506, Fiscal Year 2000, CIP-44-001.0, Annual Allocation - Sewer Main Replacement for this purpose.

Loveland/Belock/HR

WWF-00-431.

FILE LOCATION: SUBITEMS A & B: CONT - BRH Garver, Inc.;
W.O. 173391

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-209: Two actions related to Approving the Plans and Specifications and Inviting Bids for Construction of Sewer Group 627.

(Valencia Park Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1003) ADOPTED AS RESOLUTION R-292949

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of Sewer Group 627 on Work Order No. 173321;

Authorizing the City Manager to establish contract funding phases and execute a contract with the lowest responsible bidder for the Construction of Sewer Group 627;

Authorizing the expenditure of not to exceed \$2,892,934 from CIP-44-001.0, Annual Allocation - Sewer Main Replacements for the Construction of Sewer Group 627, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K20066C)

Subitem-B: (R-2000-1005) ADOPTED AS RESOLUTION R-292950

Certifying that the information contained in Mitigated Negative Declaration LDR-99-0740, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sewer Replacement Group 627 is part of the City's ongoing Concrete Sewer Main Replacement Program. The sewer mains to be replaced were constructed as early as 1901 and are approaching the end of their useful service life. Replacement of these deteriorated sewer mains will provide the community with a safe and reliable sewer infrastructure. This project is in the Valencia Park Community area and consists of replacing approximately 8,745 feet (1.66 miles) of 6-inch sewer main. The project area is within the following streets: 58th Street south to Olvera Street, Olvera Street west to Los Angeles Place, Los Angeles Place north to San Mateo Drive, San Mateo Drive northeast to Las Flores Terrace, Las Flores Terrace north to Churchward Street, and Churchward Street east to 58th Street. Traffic control plans will be prepared in accordance with the standard specifications for public works construction. Residents will be notified by mail at least one month before construction begins by the Engineering and Capital Projects Department and again ten (10) days before construction begins by the contractor through hand distribution. Also, this project includes 38 pedestrian ramps and slurry sealing or resurfacing of impacted streets.

FISCAL IMPACT:

The total estimated cost of this project is \$2,892,934 available from Sewer Revenue Fund 41506, Annual Allocation Sewer Main Replacements, CIP-44-001.0. Included in the above project cost estimate is \$500,000 for engineering costs, \$2,278,985 for construction and \$113,949 for contingencies. It is anticipated that this project will be phase funded.

Loveland/Belock/HR

WWF-00-429.

FILE LOCATION: SUBITEMS A & B: CONT - Cal Southwest
Construction, Inc.; W.O. 173321

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-210: Two actions related to Approving the Plans and Specifications and Inviting Bids for the Construction of Sewer and Water Group No. 658.

(Ocean Beach and Peninsula Community Areas. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-999) ADOPTED AS RESOLUTION R-292951

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of Sewer and Water Group No. 658 on Work Order Nos. 173631 and 183531;

Authorizing the execution of a contract with the lowest responsible bidder;

Authorizing the expenditure of not to exceed \$1,774,722 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacement and \$212,499 from Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacement, provided that the City Auditor first furnishes a certificate demonstrating that the funds are, or will be on deposit with the City Treasurer;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K20067C)

Subitem-B: (R-2000-1000) ADOPTED AS RESOLUTION R-292952

Certifying that the information contained in Mitigated Negative Declaration LDR-99-0701, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Declaration reflects the independent judgement of the City as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by the Council in connection with approval of Construction of Sewer and Water Group 658;

Declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and approving said Mitigated Negative Declaration;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sewer & Water Group 658 is part of the program established by the City of San Diego mandating the replacement of concrete sewer mains and cast iron water mains currently in service. The existing mains were constructed as early as 1925 and are approaching the end of their useful life. Replacement of these deteriorated and under sized mains will continue to provide the community with a safe and reliable infrastructure. This project is within the Ocean Beach and Peninsula community areas and involves the replacement of approximately 9,173 lineal feet of sewer mains and 868 lineal feet of water mains. The limits of the streets and alleys affected by the construction operations are as follows: The alley between and parallel to Orchard Avenue and Pescadero Avenue from Pescadero Alley running North and South, to Venice Street; the alley between and parallel to Pescadero Avenue and Bermuda Avenue, from Pescadero Alley running North and South to Santa Barbara Street; Venice Street between the alley South of Orchard Avenue to Orchard Avenue; Orchard Avenue between Venice Street and Catalina Boulevard; Orchard Avenue, East and West of Cable Street; Bermuda Avenue, West of Sunset Cliffs Boulevard; Pescadero Alley between Orchard Avenue and the alley South of Pescadero Avenue; Pescadero Alley approximately 156 feet South of Bermuda Avenue; Froude Street between alley South of Orchard Avenue to Orchard Avenue; Guizot Street from alley South of Pescadero Avenue approximately 85 feet South. (See location map) Traffic control plans will be provided by the contractor shop drawings. Residents will be notified by the contractor ten (10) days prior to start of construction.

FISCAL IMPACT:

The total estimated cost of this project is \$1,987,221. Funding is available from the Sewer Fund 41506, Annual Allocation for Sewer Main Replacement, CIP- 44-001.0, for the amount of \$1,774,722 and the Water Fund 41500, Annual Allocation for Water Main Replacement, CIP-73-083.0 for the amount of \$212,499.

Loveland/Belock/HR

WWF-00-434.

FILE LOCATION:

SUBITEMS A & B: CONT - Dietrich Corp.; W.O.
173631 & 183531

COUNCIL ACTION:

(Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-211: Two actions related to Approving the Plans and Specifications and Inviting Bids for the Construction of Sewer and Water Replacement Group 660.

(Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1001) ADOPTED AS RESOLUTION R-292953

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of Sewer and Water Replacement Group 660 on Work Order No. 173661/183751;

Authorizing the City Manager to establish contract funding phases and to execute a contract with the lowest responsible bidder;

Authorizing the expenditure of not to exceed \$2,013,874 from Fund 41506, CIP-44-001.0, Annual Allocation Sewer Main Replacements and \$326,461 from Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacements, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K20068C)

Subitem-B: (R-2000-1002) ADOPTED AS RESOLUTION R-292954

Certifying that the information contained in Mitigated Negative Declaration LDR-98-0384, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the

declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sewer and Water Group 660 will replace approximately 9,410 linear feet of existing 6-inch concrete sewer main with 8-inch sewer main and approximately 1,060 linear feet of 6-inch cast iron water main with 8-inch water main. The existing facilities are undersized, deteriorated, and in need of replacement. The existing sewer and water mains were installed as early as 1927 and have experienced many breaks and stoppages. This project lies in the Uptown area, within the area bounded by Stephens Street and Arguello Street on the east and west and bounded by Alameda Place and Sunset Boulevard on the north and south. Residents will be notified by mail at least one (1) month before construction begins by the Water Department and again ten (10) days before construction begins by the contractor through hand distribution. This project will reduce these stoppages and provide a more reliable sewer and water system for the service area.

FISCAL IMPACT:

The total estimated construction and related costs and impact to the FY 2000 Budget are estimated at \$2,340,335 of which \$2,013,874 is available from Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacements and \$326,461 is available from Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacements.

Loveland/Belock/HR

WWF-00-435.

FILE LOCATION: SUBITEMS A & B: CONT - Cal Southwest
Construction; W.O. 173661/183751

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-212: Contract Change Order No. 1 - Water and Sewer Group 517.

(Ocean Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-379) ADOPTED AS RESOLUTION R-292955

Approving Contract Change Order No. 1, with Ortiz Corporation for construction of Water and Sewer Group 517, dated January 25, 2000, increasing the contract price by \$148,000;

Authorizing the additional expenditure of not to exceed \$148,000 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacements;

Authorizing the City Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserve.

CITY MANAGER SUPPORTING INFORMATION:

On May 24, 1999, the City Council approved the plans and specifications and authorized the execution of a contract for Water and Sewer Group 517 (RR-291662). The City Manager awarded a contract for \$1,240,759 to Ortiz Corporation. The existing sewer laterals on Cape May Avenue were discovered to be in a different location than what was determined from existing City records. This constituted a changed condition and required the re-design of the existing sewer to meet new City standards while accommodating these existing sewer laterals. The proposed sewer main is located in sandy soil conditions and is below the water table. Therefore, the work requires extensive excavation, shoring, trench restoration, and dewatering which is included in the agreed lump sum cost. Contract Change Order Number 1 includes over excavation of approximately 625 feet of 8-inch sewer main on Cape May Avenue, dewatering, additional trench restoration and shoring. The cost of the Contract Change Order Number 1 is \$148,000. This additional cost will increase the original construction contract amount from \$1,240,759 to \$1,388,759.

FISCAL IMPACT:

The revised total estimated cost of this project is \$1,903,730. The total estimated cost of the sewer portion is \$403,000. The additional funding of \$148,000 is available in Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacement for this purpose.

Loveland/Belock/HR

Aud. Cert. 2000848.

WWF-00-436.

FILE LOCATION: CONT - Oritz Corporation

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-213: Camino Ruiz Neighborhood Park - Property Acquisition.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1056) ADOPTED AS RESOLUTION R-292956

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$1,600,000 from Fund No. 79006, CIP-29-652.0 (Camino Ruiz Neighborhood Park - Acquisition) for acquisition of property rights, and related acquisition costs, to acquire parcels required for the design and construction of the proposed neighborhood park;

Stating for the record that the information contained in Environmental Impact Report EIR-87-1038, has been reviewed and considered by Council and it is determined that no substantial changes or new information of substantial

importance within the meaning of CEQA Guideline Section 15162 would warrant any additional environmental review in connection with approval of the acquisition of property for the Camino Ruiz Neighborhood Park.

CITY MANAGER SUPPORTING INFORMATION:

On April 26, 1994, the City Council adopted Resolution R-283762, approving Vesting Tentative Map VTM-87-1038 for the Monarch Pointe Subdivision. As a condition of the approval, the Subdivider, The Newland Group, Inc., was required to deed to the City 35.78 acres of land as biological mitigation/open space preserve, known as the Camino Park mitigation site, northerly and westerly of the intersection of Camino Ruiz and Calle Cristobal in Mira Mesa. Concurrent to the transfer of title to the mitigation parcel, an adjacent 11.41 acre site owned by the Newland Group, and the subject of this action, was earmarked for acquisition by the City. Designated as Reference Project No. 74 in the Mira Mesa Public Facilities Financing Plan, this acquisition would accommodate facilities benefit planning for the ultimate build-out of the Mira Mesa community. General Plan Guidelines indicate a need for a neighborhood park in this area to serve current and future residents. Approval of this action will authorize funding for the acquisition of the useable neighborhood park acreage required to satisfy the population-based standards for park and recreation facilities, as outlined in the San Diego Municipal Code, as well as the Progress Guide and General Plan.

FISCAL IMPACT:

Funds in the amount of \$1,600,000 are available from Facilities Benefit Assessment Fund No. 79006, CIP-29-652.0, Camino Ruiz Neighborhood Park Acquisition.

Loveland/Griffith/SLG

Aud. Cert. 2000869.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-425.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action.

ITEM-250: Notice of Completion and Acceptance of Subdivision Improvement Agreement.

Notice is hereby given that the City Manager of the City of San Diego intends to file a "Notice of Completion and Acceptance of Subdivision Improvement Agreement" indicating that the improvements included in the Subdivision Improvement Agreement have been satisfactorily completed for the following subdivisions:

SUBDIVISION

Carmel Valley Neighborhood 1 Unit 13B
Resubdivision N.C.W. Neighborhood 7 Unit 6C
Palm Promenade
Scripps Ranch North Unit No. 12

COMMUNITY AREA

Carmel Valley
North City West
Otay Mesa Community
Miramar Ranch North

The certification shall be recorded 15 days after the date this notice appears on the Council Docket or shortly thereafter. If any person wishes to object to the filing of this notice, such person should communicate the objection on or before that date to the Director or Planning and Development Review or to the Subdivision Engineer, City Operations Building, 1222 First Avenue (MS 507), San Diego, CA 92101.

ITEM-251: Settlement of the Personal Injury Claim of Kumiko Umeno and Gouta Umeno.

(R-2000-1052)

Adopted as Resolution R-292881.

A Resolution approved by the City Council in Closed Session on Tuesday, March 14, 2000, by the following vote: Mathis-not present; Wear-yea; Kehoe-yea; Stevens-not present; Warden-not present; Stallings-not present; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$365,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to Kumiko Umeno and Gouta Umeno, a minor (Superior Court Case No. 725359, Kumiko Umeno, et al. v. City of San Diego, et al.);

Authorizing the City Auditor and Comptroller to issue three checks: 1) \$350,000 made payable to Kumiko Umeno and her attorneys of record, Stephen L. Waldman and Dick Semerdjian; 2) \$3,750 made payable to Gouta Umeno, a minor, by and through his guardian ad litem, Kasuko Wong and his attorney of record, Stephen L. Waldman and Dick Semerdjian; and 3) \$11,250 payable to Jamestown Life Insurance Company, on behalf of Gouta Umeno, in full settlement of all claims.

Aud. Cert. 2000861.

NOTE: This item is placed on a Council docket, so that the official and public record will reflect the adoption of this Resolution. It does not require any further Council action.

ITEM-252: Settlement of the Personal Injury Claim of La Ronda Engram-Resendiz, et al.

(R-2000-1031)

Adopted as Resolution R-292883.

A Resolution approved by the City Council in Closed Session on Tuesday, March 14, 2000, by the following vote: Mathis-not present; Wear-yea; Kehoe-yea; Stevens-not present; Warden-not present; Stallings-not present; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$45,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to La Ronda Engram-Resendiz, et al (Superior Court Case No. 723980, La Ronda Engram-Resendiz, et al. v. City of San Diego, et al.);

Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$45,000 made payable to La Ronda Engram-Resendiz, Rosalina Ware and Douglas A. Oden, their attorney of record in full settlement of all claims.

Aud. Cert 2000881.

NOTE: This item is placed on a Council docket, so that the official and public record will reflect the adoption of this Resolution. It does not require any further Council action.

ITEM-253: Settlement of the Property Damage Claim of Transportation Network.

(R-2000-1021)

Adopted as Resolution R-292885.

A Resolution approved by the City Council in Closed Session on Tuesday, March 14, 2000, by the following vote: Mathis-not present; Wear-yea; Kehoe-yea; Stevens-not present; Warden-not present; Stallings-not present; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$7,025 in the settlement of each and every claim against the City, its agents and employees, resulting from the property damage claim of Transportation Network.

Authorizing the City Auditor and Comptroller to issue one check in the amount of \$7,025 made payable to Transportation Network on behalf of Yellow Cab, as the complete and final settlement of the property damage claim which occurred on February 1, 1999.

Aud. Cert. 2000832.

NOTE: This item is placed on a Council docket, so that the official and public record will reflect the adoption of this Resolution. It does not require any further Council action.

ITEM-254: Settlement of the Property Damage Claim of G. Fred Birkell.

(R-2000-979)

Adopted as Resolution R-292882.

A Resolution approved by the City Council in Closed Session on Tuesday, March 14, 2000, by the following vote: Mathis-not present; Wear-yea; Kehoe-yea; Stevens-not present; Warden-not present; Stallings-not present; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$70,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the property damage which occurred in November 1998 (Superior Court Case No. GIC736689, G. Fred Birkell v. City of San Diego);

Authorizing the City Auditor and Comptroller to issue one check in the amount of \$70,000 made payable to Estate of G. Fred Birkell and Louis Goebel, attorney, in full settlement of all claims.

Aud. Cert. 2000833.

NOTE: This item is placed on a Council docket, so that the official and public record will reflect the adoption of this Resolution. It does not require any further Council action.

NON-DOCKET ITEMS:

NONE.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 3.56 p.m. in honor of the memory of:

Curtis Fitzpatrick, as requested by Mayor Golding;
George Story, as requested by Mayor Golding and Council Member McCarty;
Susan Lillian Tucker, as requested by Council Member Stevens and Mayor Golding;
Rev. S.M. Lockridge, as requested by Council Member Stevens;
Mary Jo Kerlin, as requested by Mayor Golding;
The 19 Marines killed in the aircraft accident, as requested by Council Member McCarty; and
Cooper Charles Janic, as requested by Council Member Warden.

**Minutes of the Council of the City of San Diego
for the Regular Meeting of April 10, 2000**

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FILE LOCATION:

AGENDA

COUNCIL ACTION:

(Tape location: C207-315).